

Claudia Barry, Plaintiff *in Propria Persona*
12340 Clayton Road
San Jose, California 95127

UNITED STATES DISTRICT COURT
DISTRICT OF CALIFORNIA

CLAUDIA BARRY
PLAINTIFF

v.

WELLS FARGO HOME MORTGAGE AND
WELLS FARGO BANK, N.A.
DEFENDANTS

CASE NO. _____

CV 15-04606

ADR

FILED

OCT - 6 2015

CLERK SUSAN Y. SOONG
NORTHERN U.S. DISTRICT COURT
DISTRICT OF CALIFORNIA
SAN JOSE

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**COUNT I – COMPLAINT FOR VIOLATIONS OF FAIR DEBT COLLECTION
PRACTICES ACT (FDCPA); 15 U.S.C. § 1692 ET SEQ.**

Comes now the plaintiff Claudia Barry and sues the defendant WELLS FARGO HOME MORTGAGE for penalties and actual damages for unfair and deceptive collection practices in violation of the Fair Debt Collection Practices Act, and for other relief as set forth herein.

The plaintiff has resided in Santa Clara County at the address known as 12340 Clayton Road, San Jose, California, for all times material to this complaint.

The defendant is a corporation doing business in the State of California with its principal place of business at 1000 Blue Gentian, Suite 300 MAC X9999-01N, Eagan, MN 55121.

Defendant is a debt collector as defined under Title 15 U.S.C. §1692(a). Defendant has undertaken actions that involve the collection of a consumer debt against the plaintiff. The debt collection involves a purported debt for personal, family or household purposes.

Defendant is a debt collector as defined under Title 15 U.S.C. §1692(a)(6) and is not excluded by any provision of what defines a "debt collector" under this statute.

Defendant has undertaken actions that involve the collection of a consumer debt against the plaintiff. The debt collection involves a purported debt for personal, family

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or household purposes.

This is a complaint for unfair and deceptive collection practices involving collateral against which the defendants have falsely asserted various rights or claims.

The subject property that has given rise to this complaint is known as a trust deed, and rights thereunder, and land with fixtures on the land that is encumbered by a trust deed recorded in Santa Clara County, California, a true and correct copy of which is attached.

PLAIN STATEMENT

Plaintiff entered into a collateral agreement known as a mortgage involving his property as described herein. This obligation was incurred as a financial obligation that was primarily for family, personal or household purposes. This mortgage did not name or confer any power upon the defendants

At some time after this mortgage was recorded, the defendant began attempting to foreclose under the terms of the mortgage, as if it were the holder or in control of the note and mortgage.

The plaintiff is the mortgagor in a trust deed that was recorded on the date of January 18th 2007, in Santa Clara County, California, in the amount of \$1,325,000. The deed secured the payment of a promissory note made payable to WELLS FARGO BANK, N.A., the lender stated on the trust deed. The trustee's name in this instrument is FIDELITY NATIONAL TITLE INS CO.

There were no other parties identified as having an interest in this trust deed or having any rights thereunder, within the instruments, (note and trust deed).

On or about the date of October 12th of 2012, the defendant began sending written communication to the plaintiff stating that it was representing various parties having rights under the same trust deed, or at least plaintiff understood that it was representing parties, including the other defendants, the trustee, a bank, a law firm, etc. who were all claiming some rights in the plaintiff's property.

Plaintiff asked the defendant to provide verification that these parties it was supposed to have been representing, whose names it was using, were aware of its actions.

The plaintiff explained that the reason for these requests were, in part, because

none of these parties were named in the mortgage referenced by this defendant.

Plaintiffs also asked the defendant to explain how it obtained the personal and private banking, financial and identifying information of the plaintiffs. The defendant failed or refused to answer these questions, in spite of being advised that it was in violation of the Fair Debt Collection Practices Act and may be subject to penalties and actual damages for continuing to undertake these actions.

Eventually, the defendant obtained enough information from the plaintiffs to allow it to complete a foreclosure sale of the plaintiff's property and convey the property to what appears to be a third party; however, the plaintiffs have reason to believe that the defendant is the third party purchaser or has an interest in the organization.

The purported debt is not a debt held or collected under the name of the defendant.

The defendant threatened to report unpaid amounts to a third party debt collector, namely the Internal Revenue Service, for the purpose of subjecting the plaintiff to taxes on amounts of money falsely claimed and reported by the defendant.

The defendant made false representations that it was the holder of a note or promise to pay in which the plaintiff owed the defendant.

The defendant has falsely represent the amount alleged to be owed by the plaintiff or the amount of compensation the defendant will receive. The plaintiff has requested that the defendant disclose its interests

The defendant made false representations that it had rights to foreclose against the plaintiff's property (home) under the provisions of a trust deed that is recorded against the title of the plaintiff's property in the county where the property is situated.

The defendant requested certain financial disclosures from the plaintiff claiming that the disclosures would persuade the defendant to cease its foreclosure actions provided that money was paid by the plaintiff to the defendant or its privies.

The defendant did not have the typical credit information of the plaintiff, such as a social security number, or date of birth or other banking information that a creditor would normally be expected to have already obtained before a debt obligation was

established.

The defendant has used a false or fictitious name in the undertaking of its collection actions.

The defendant has used a name other than the true name of its business, company or organization.

After several written requests, the defendant has refused to identify its owners, principals or interests it claims to have in the plaintiff's property. Instead of making these disclosures, defendant has falsely represented that it does have certain legal rights under the trust deed and that it has the right to foreclose of the plaintiff fails or refuses to provide more credit, banking, financial, personal and other identifying information along with agreeing to making regular payments of money to the defendant or its privies.

The defendant failed or refused to provide an accounting of its claim showing any unpaid balance and instead simply demanded money in exchange for not foreclosing and has only provided copies of records that anyone could obtain from the county recorders' office.

The defendant has falsely represented the name of the creditor to whom it alleges the debt is owed.

The defendant has threatened to undertake a foreclosure action against the plaintiff when it has no such rights to do so.

The defendant falsely represented that if the plaintiff failed or refused to cooperate by providing financial, banking, credit, personal and other identifying information along with money, that it would sell the plaintiff's property at a public auction.

The defendant delivered to the plaintiff written communications that were made to look like or falsely represent documents authorized, issued, or approved by a court, official, or agency of the United States or the state, by using words that would give a false impression of the document's source, authorization, or approval.

The defendant has falsely represented that the plaintiff's credit accounts were

sold to innocent purchases for value.

The Defendant failed to provide the Plaintiff with validation of debt within five business days of contacting him.

The Defendant has undertaken actions to intimidate the plaintiffs by having individuals trespass on their property and take photographs without permission, look through their windows and knock on the door to ask if they can take more photographs of the backyard and inside of the home for purposes of foreclosure.

The Plaintiff has suffered actual damages as a result of the defendants' attempted foreclosure of plaintiff's property, as well as suffering from unjustified and abusive invasions of personal privacy at the Plaintiff's home and workplace.

The defendant has somehow acquired the personal and banking information of each of the plaintiff and has used that information for their own personal gain and benefit without any permissible purpose.

The Defendants have undertaken actions to intimidate the plaintiffs by having individuals trespass on their property and take photographs without permission, look through their windows and knock on the door to ask if they can take more photographs of the backyard and inside of the home for purposes of foreclosure.

The Plaintiffs have suffered actual damages as a result of the defendants' attempted foreclosure of plaintiff's property, as well as suffering from unjustified and abusive invasions of personal privacy at the Plaintiff's home and workplace.

The defendants have somehow acquired the personal and banking information of each of the plaintiffs and have used that information for their own personal gain and benefit without any permissible purpose.

Based on these allegations, the consumer alleged violations of §§ 1692e(4) and (5), and 1692g(a) and (b) of the FDCPA.

The foregoing acts and omissions constitute numerous and multiple violations of the FDCPA, including but not limited to each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692 et seq.

This is an action for damages exceeding \$75,000.

Plaintiffs demand a jury trial.

As a result of each and every violation of the FDCPA, Plaintiff is entitled to any actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs, if any, pursuant to 15 U.S.C. § 1692k(a)(3) from each and every defendant, jointly and severally.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff demands that judgment be entered against each Defendant, jointly and severally, and Plaintiff be awarded damages from each Defendant, as follows:

A. An award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A);

B. An award of costs of litigation and reasonable attorney's fees, if any, pursuant to 15 U.S.C. § 1692k(a)(3);

C. An award of actual damages;

D. Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury on all issues so triable as a matter of law.

COUNT II – AMENDED COMPLAINT FOR VIOLATIONS OF FAIR DEBT COLLECTION PRACTICES ACT (FDCPA); 15 U.S.C. § 1692 ET SEQ.

Comes now the plaintiff Claudia Barry and sues the defendant WELLS FARGO BANK, N.A. for penalties and actual damages for unfair and deceptive collection practices in violation of the Fair Debt Collection Practices Act, and for other relief as set forth herein.

The plaintiff has resided in Santa Clara County at the address known as 12340 Clayton Road, San Jose, California, for all times material to this complaint.

The defendant is a national association doing business in the State of California with its principle place of business at the address of 420 Montgomery Street, San Francisco, California 94163, for all times material to this complaint.

Defendant is a debt collector as defined under Title 15 U.S.C. §1692(a). Defendant has undertaken actions that involve the collection of a consumer debt against the plaintiff. The debt collection involves a purported debt for personal, family or household purposes.

Defendant is a debt collector as defined under Title 15 U.S.C. §1692(a)(6) and is not excluded by any provision of what defines a "debt collector" under this statute.

This is a complaint for unfair and deceptive collection practices involving collateral against which the defendants have falsely asserted various rights or claims.

The subject property that has given rise to this complaint is known as a trust deed, and rights thereunder, and land with fixtures on the land that is encumbered by a trust deed recorded in Santa Clara County, California, a true and correct copy of which is attached.

PLAIN STATEMENT

Plaintiff entered into a collateral agreement known as a mortgage involving his property as described herein. This obligation was incurred as a financial obligation that was primarily for family, personal or household purposes. This mortgage did not name or confer any power upon the defendants

At some time after this mortgage was recorded, the defendant began attempting to foreclose under the terms of the mortgage, as if it were the holder or in control of the note and mortgage.

The plaintiff is the mortgagor in a trust deed that was recorded on the date of January 18th 2007, in Santa Clara County, California, in the amount of \$1,325,000. The deed secured the payment of a promissory note made payable to WELLS FARGO BANK, N.A., the lender stated on the trust deed. The trustee's name in this instrument is FIDELITY NATIONAL TITLE INS CO.

There were no other parties identified as having an interest in this trust deed or having any rights thereunder, within the instruments, (note and trust deed).

On or about the date of October 12th 2012, the defendant began sending written communication to the plaintiff stating that it was representing various parties having rights under the same trust deed, or at least plaintiff understood that it was representing

parties, including the other defendants, the trustee, a bank, a law firm, etc. who were all claiming some rights in the plaintiff's property.

Plaintiff asked the defendant to provide verification that these parties it was supposed to have been representing, whose names it was using, were aware of its actions.

The plaintiff explained that the reason for these requests were, in part, because none of these parties were named in the mortgage referenced by this defendant.

Plaintiffs also asked the defendant to explain how it obtained the personal and private banking, financial and identifying information of the plaintiffs. The defendant failed or refused to answer these questions, in spite of being advised that it was in violation of the Fair Debt Collection Practices Act and may be subject to penalties and actual damages for continuing to undertake these actions.

The purported debt is not a debt held or collected under the name of the defendant.

The defendant made false representations that it was the holder of a note or promise to pay in which the plaintiff owed the defendant.

The defendant made false representations that it had rights to foreclose against the plaintiff's property (home) under the provisions of a trust deed that is recorded against the title of the plaintiff's property in the county where the property is situated.

The defendant requested certain financial disclosures from the plaintiff claiming that the disclosures would persuade the defendant to cease its foreclosure actions provided that money was paid by the plaintiff to the defendant or its privies.

The defendant did not have the typical credit information of the plaintiff, such as a social security number, or date of birth or other banking information that a creditor would normally be expected to have already obtained before a debt obligation was established.

The defendant has used a false or fictitious name in the undertaking of its collection actions.

The defendant has used a name other than the true name of its business, company or organization.

After several written requests, the defendant has refused to identify its owners, principals or interests it claims to have in the plaintiff's property. Instead of making these disclosures, defendant has falsely represented that it does have certain legal rights under the trust deed and that it has the right to foreclose of the plaintiff fails or refuses to provide more credit, banking, financial, personal and other identifying information along with agreeing to making regular payments of money to the defendant or its privies.

The defendant failed or refused to provide an accounting of its claim showing any unpaid balance and instead simply demanded money in exchange for not foreclosing and has only provided copies of records that anyone could obtain from the county recorders' office.

The defendant has falsely represented the name of the creditor to whom it alleges the debt is owed.

The defendant has threatened to undertake a foreclosure action against the plaintiff when it has no such rights to do so.

The defendant falsely represented that if the plaintiff failed or refused to cooperate by providing financial, banking, credit, personal and other identifying information along with money, that it would sell the plaintiff's property at a public auction.

The defendant delivered to the plaintiff written communications that were made to look like or falsely represent documents authorized, issued, or approved by a court, official, or agency of the United States or the state, by using words that would give a false impression of the document's source, authorization, or approval.

The defendant has falsely represented that the plaintiff's credit accounts were sold to innocent purchases for value.

The Defendant failed to provide the Plaintiff with validation of debt within five business days of contacting him.

The Defendant has undertaken actions to intimidate the plaintiffs by having individuals trespass on their property and take photographs without permission, look

through their windows and knock on the door to ask if they can take more photographs of the backyard and inside of the home for purposes of foreclosure.

The Plaintiff has suffered actual damages as a result of the defendants' attempted foreclosure of plaintiff's property, as well as suffering from unjustified and abusive invasions of personal privacy at the Plaintiff's home and workplace.

The defendant has somehow acquired the personal and banking information of each of the plaintiff and has used that information for their own personal gain and benefit without any permissible purpose.

The Defendants have undertaken actions to intimidate the plaintiffs by having individuals trespass on their property and take photographs without permission, look through their windows and knock on the door to ask if they can take more photographs of the backyard and inside of the home for purposes of foreclosure.

The Plaintiffs have suffered actual damages as a result of the defendants' attempted foreclosure of plaintiff's property, as well as suffering from unjustified and abusive invasions of personal privacy at the Plaintiff's home and workplace.

The defendants have somehow acquired the personal and banking information of each of the plaintiffs and have used that information for their own personal gain and benefit without any permissible purpose.

Based on these allegations, the consumer alleged violations of §§ 1692e(4) and (5), and 1692g(a) and (b) of the FDCPA.

The foregoing acts and omissions constitute numerous and multiple violations of the FDCPA, including but not limited to each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692 et seq.

This is an action for damages exceeding \$75,000.

Plaintiffs demand a jury trial.

As a result of each and every violation of the FDCPA, Plaintiff is entitled to any actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs, if any, pursuant to 15 U.S.C. § 1692k(a)(3) from each and every

defendant, jointly and severally.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff demands that judgment be entered against each Defendant, jointly and severally, and Plaintiff be awarded damages from each Defendant, as follows:

A. An award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A);

B. An award of costs of litigation and reasonable attorney's fees, if any, pursuant to 15 U.S.C. § 1692k(a)(3);

C. An award of actual damages;

D. Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury on all issues so triable as a matter of law.

COMPLAINT FOR IDENTITY THEFT

Comes now the plaintiff Claudia Barry and sues the defendant WELLS FARGO HOME MORTGAGE in the following legal action to protect a private civil right and to compel a civil remedy for damages resulting from the theft of the plaintiff's personal, financial, banking and identifying information, and alleges the following:

JURISDICTION

This is an action at law and this court has original jurisdiction pursuant to Article III, Section 2 of the United States Constitution and Title 28 U.S.C. §1331.

This is a complaint for damages that exceeds \$75,000.

There is a diversity of citizenship between the plaintiff and defendant.

VENUE

The plaintiff has resided in Santa Clara County at the address known as 12340 Clayton Road, San Jose, California, for all times material to this complaint.

The defendant is a corporation doing business in the State of California with its principal place of business at 1000 Blue Gentian, Suite 300 MAC X9999-01N, Eagan,

MN 55121.

PLAIN STATEMENT

The plaintiff is the mortgagor in a trust deed that was recorded on the date of January 18th 2007, in Santa Clara County, California, in the amount of \$1,325,000. The deed secured the payment of a promissory note made payable to WELLS FARGO BANK, N.A., the lender stated on the trust deed. The trustee's name in this instrument is FIDELITY NATIONAL TITLE INS CO.

There were no other parties identified as having an interest in this trust deed or having any rights thereunder, within the instruments, (note and trust deed).

This complaint concerns the defendant's actions and conduct whereby it acquired the plaintiff's credit and financial information, at least enough to make it appear as if the defendant was working with the lender in the trust deed. The defendant then proceeded to send written communications to the plaintiff stating that it now either had rights to foreclose under the trust deed or that it was working with other parties who had rights to foreclose, unless the plaintiff made more financial disclosures and modified payment arrangements to the defendant.

The defendant pretended to help the plaintiff and lead him into making more and more financial disclosures and then either discontinued the communication after it obtained what it wanted, or created a situation to make it appear as if the plaintiff did not qualify, but then never returned or certified the destruction of the records and information obtain about the plaintiff.

Plaintiff entered into a collateral agreement known as a mortgage involving his property as described herein. This obligation was incurred as a financial obligation that was primarily for family, personal or household purposes. This mortgage did not name or confer any power upon the defendants

At some time after this mortgage was recorded, the defendant began attempting to foreclose under the terms of the mortgage, as if it were the holder or in control of the note and mortgage.

STATEMENTS OF FACT AND DEFINITIONS

The term "identity theft" includes the act of stealing one's mail or looking through

one's private home and/or commercial business trash. Sometimes the theft is undertaken by simply communicating with the victim, such as via mail, telephone and sometimes during service calls such as a plumber casing a house and then giving the information he discovers to a third party for money.

Sometimes identity thieves steal your wallet or purse, and sometimes they only take the information in your wallet or purse. They will also fraudulently pose as potential landlords, tax collector, banking organizations, attorneys, prospective or current employers, or creditors to try to obtain your personal data under false pretenses. The methods of identity theft have become known by the new term "phishing".

The term "phishing" is defined as someone is tricked into giving up personal information, typically by sending out what looks like official communications from banks, credit unions, or credit card companies asking to confirm private information including personal identification numbers and other critical identifiers. Some go so far as to file a "change of address" form to divert your mail to a drop or Post Office Box address.

The most recent example comes from the expanding mortgage foreclosure segment of the fiance market; whereby, individuals gather together public records such as trust deeds and create promissory notes and copy signatures from the trust deeds to the notes and use those copies along with other records created by software, to commission attorneys to begin a foreclosure action. The attorneys then contact a homeowner and tell him that his mortgage is in default, and usually claim some unknown third party to whom it's in default, and that to avoid foreclosure, he will have to provide financial disclosures for a "loan modification". Out of fear, the unsuspecting homeowner provides this information without any conditions, such as never being advised of the perpetrator's document retention policy or what the financial information will be used for. Many organizations are able to obtain credit information about the homeowner simply by paying a membership fee to Equifax. This information is then used to obtain more information. In probably every case, this financial information is sold or traded to third parties and utilized in making false reports to the IRS, such as on Form 1099.

Identifying information also includes a person's name, telephone number, date of birth, mother's maiden name, driver's license number, state identification number, or

any other piece of information that can identify a person.

COUNT III – COMPLAINT FOR IDENTITY THEFT

Comes now the plaintiff Claudia Barry and sues the defendant WELLS FARGO HOME MORTGAGE in the following legal action to protect a private civil right and to compel a civil remedy for damages resulting from the theft of the plaintiff's personal, financial, banking and identifying information, and alleges the following:

The plaintiffs re-allege the foregoing and incorporate each statement herein.

Jurisdiction and venue are proper and this complaint is an action at law and is properly before this court.

Plaintiff's "private information", as the term is used in this complaint and accepted commonly in our modern community, includes but is not limited to the likeness of the plaintiff, and his personal identifying information, banking, financial and credit information, and any other personal information that is or can be used by the plaintiff for his own personal and professional benefits.

Plaintiff has the right to keep his private information and records from third parties, and has a right to rely upon the third party to only request such information for legitimate and legal purposes. The plaintiff's private records include the information appearing on his birth certificate, tax records, banking records, financial and other personal information and information that identifies the plaintiff, such as his likeness, photographs, videos, and other records which have not been deliberately published to third parties.

Beginning from around October 12th 2015 and continuing through the present day, the plaintiff were contacted by the defendant and other organizations affiliated with, and that appeared to be working for the defendant. Plaintiffs have reason to believe that these organizations were owned and operated by the defendant and being used to conceal the identities of the defendant. These organizations threatened the plaintiffs with the taking their home and money unless they provided certain financial, personal, banking and identifying information to the defendant. Copies of these written communications and a log of telephone communications are attached as Exhibit A.

The defendant also made inquiries of the plaintiff credit report but did not have a

permissible purpose.

The defendant obtained records from the public domain that pertain to the plaintiff's property and rights to his property, and then use these records to create additional records and convince the personnel working in the court system to participate in a public auction of the plaintiff's home.

The defendant has deliberately and willfully, falsely presented itself and impersonated itself to the plaintiff as another person to obtain the plaintiff's property for purposes not permitted by law or agreement.

The defendant had an affirmative duty to disclose the purposes for which it coerced plaintiff's banking, personal, financial and identifying information.

The defendant's actions were deliberate and will and negligent and careless. The plaintiff was never provided with a disclosure of the defendant's document retention policy or an explanation of the purposes for which the plaintiff's private information would be used.

The plaintiff requested a copy of the defendant's document retention policy but this request was ignored.

The defendant intentionally and willfully violated the plaintiff's rights to privacy and to keep his private and personal records private.

The defendant engaged in communications with the plaintiff and deceived him into disclosing his private information. The defendant accomplished this by using the information already available to the defendant in the public domain to make it appear as if the defendant had some legal rights to obtain more of the plaintiff's private information, when the defendant did not have such rights.

After obtaining plaintiff's private information, defendant used this information for its own financial gain and ulterior and undisclosed purposes, and for purposes not permitted by law or by the plaintiff. The defendant has or intends to file claims with the Internal Revenue Service, such as Form 1099, using the plaintiff's identifying information.

The defendant has or intends to use the plaintiff's private information to sell or trade with third parties for the mutual benefit of these parties, exclusive of contrary to

the interests of the plaintiff.

The defendant used this information to sell the plaintiffs' property at a public auction in order to further give the appearance that it was legal when it was not.

Since the date of October 12th 2015, and to the best of plaintiff's knowledge, the defendant has been in possession of plaintiff's private information, and without the consent of the plaintiff and without legal authority.

DAMAGES

The plaintiff has suffered damages as a direct and proximate result of the defendant's actions and failures to act.

The plaintiff has suffered the loss of the actual fair market value of his home because the defendant has been encumbering the plaintiff's property, before, during and following the foreclosure thereof. The actual damages are: 1. The fair market value of plaintiff's property in the amount of \$1,000,000. 2. The loss of the money deposited with the lender identified on the mortgage or trust deed lien in the amount of \$1,325,000. 3. Costs and attorney fees associated with defending against the foreclosure process in the amount of \$5,000 and 4. Unauthorized use and retention of plaintiff's personal, banking, financial and identifying information resulting in damages that have not yet fully been able to be calculated by that are estimated to exceed \$250,000 as of this date.

WHEREFORE plaintiff demands judgment against the defendant in the aggregate amount of damages alleged in the complaint of \$2,580,000, together with other relief this court deems appropriate.

COMPLAINT FOR IDENTITY THEFT

Comes now the plaintiff Claudia Barry and sues the defendant WELLS FARGO BANK, N.A. in the following legal action to protect a private civil right and to compel a civil remedy for damages resulting from the theft of the plaintiff's personal, financial, banking and identifying information, and alleges the following:

JURISDICTION

This is an action at law and this court has original jurisdiction pursuant to Article

III, Section 2 of the United States Constitution and Title 28 U.S.C. §1331.

This is a complaint for damages that exceeds \$75,000.

There is a diversity of citizenship between the plaintiff and defendant.

VENUE

The plaintiff has resided in Santa Clara County at the address known as 12340 Clayton Road, San Jose, California, for all times material to this complaint.

The defendant is a national association doing business in the State of California with its principle place of business at the address of 420 Montgomery Street, San Francisco, California 94163, for all times material to this complaint.

PLAIN STATEMENT

The plaintiff is the mortgagor in a trust deed that was recorded on the date of January 18th 2007, in Santa Clara County, California, in the amount of \$1,325,000. The deed secured the payment of a promissory note made payable to WELLS FARGO BANK, N.A., the lender stated on the trust deed. The trustee's name in this instrument is FIDELITY NATIONAL TITLE INS CO.

There were no other parties identified as having an interest in this trust deed or having any rights thereunder, within the instruments, (note and trust deed).

This complaint concerns the defendant's actions and conduct whereby it acquired the plaintiff's credit and financial information, at least enough to make it appear as if the defendant was working with the lender in the trust deed. The defendant then proceeded to send written communications to the plaintiff stating that it now either had rights to foreclose under the trust deed or that it was working with other parties who had rights to foreclose, unless the plaintiff made more financial disclosures and modified payment arrangements to the defendant.

The defendant pretended to help the plaintiff and lead him into making more and more financial disclosures and then either discontinued the communication after it obtained what it wanted, or created a situation to make it appear as if the plaintiff did not qualify, but then never returned or certified the destruction of the records and information obtain about the plaintiff.

Plaintiff entered into a collateral agreement known as a mortgage involving his property as described herein. This obligation was incurred as a financial obligation that was primarily for family, personal or household purposes. This mortgage did not name or confer any power upon the defendants

At some time after this mortgage was recorded, the defendant began attempting to foreclose under the terms of the mortgage, as if it were the holder or in control of the note and mortgage.

STATEMENTS OF FACT AND DEFINITIONS

The term "identity theft" includes the act of stealing one's mail or looking through one's private home and/or commercial business trash. Sometimes the theft is undertaken by simply communicating with the victim, such as via mail, telephone and sometimes during service calls such as a plumber casing a house and then giving the information he discovers to a third party for money.

Sometimes identity thieves steal your wallet or purse, and sometimes they only take the information in your wallet or purse. They will also fraudulently pose as potential landlords, tax collector, banking organizations, attorneys, prospective or current employers, or creditors to try to obtain your personal data under false pretenses. The methods of identity theft have become known by the new term "phishing".

The term "phishing" is defined as someone is tricked into giving up personal information, typically by sending out what looks like official communications from banks, credit unions, or credit card companies asking to confirm private information including personal identification numbers and other critical identifiers. Some go so far as to file a "change of address" form to divert your mail to a drop or Post Office Box address.

The most recent example comes from the expanding mortgage foreclosure segment of the fiance market; whereby, individuals gather together public records such as trust deeds and create promissory notes and copy signatures from the trust deeds to the notes and use those copies along with other records created by software, to commission attorneys to begin a foreclosure action. The attorneys then contact a homeowner and tell him that his mortgage is in default, and usually claim some unknown third party to whom it's in default, and that to avoid foreclosure, he will have to provide financial disclosures for a "loan modification". Out of fear, the unsuspecting

homeowner provides this information without any conditions, such as never being advised of the perpetrator's document retention policy or what the financial information will be used for. Many organizations are able to obtain credit information about the homeowner simply by paying a membership fee to Equifax. This information is then used to obtain more information. In probably every case, this financial information is sold or traded to third parties and utilized in making false reports to the IRS, such as on Form 1099.

Identifying information also includes a person's name, telephone number, date of birth, mother's maiden name, driver's license number, state identification number, or any other piece of information that can identify a person.

COUNT IV – COMPLAINT FOR IDENTITY THEFT

Comes now the plaintiff Claudia Barry and sues the defendant WELLS FARGO BANK, N.A. in the following legal action to protect a private civil right and to compel a civil remedy for damages resulting from the theft of the plaintiff's personal, financial, banking and identifying information, and alleges the following:

The plaintiffs re-allege the foregoing and incorporate each statement herein.

Jurisdiction and venue are proper and this complaint is an action at law and is properly before this court.

Plaintiff's "private information", as the term is used in this complaint and accepted commonly in our modern community, includes but is not limited to the likeness of the plaintiff, and his personal identifying information, banking, financial and credit information, and any other personal information that is or can be used by the plaintiff for his own personal and professional benefits.

Plaintiff has the right to keep his private information and records from third parties, and has a right to rely upon the third party to only request such information for legitimate and legal purposes. The plaintiff's private records include the information appearing on his birth certificate, tax records, banking records, financial and other personal information and information that identifies the plaintiff, such as his likeness, photographs, videos, and other records which have not been deliberately published to third parties.

Beginning from around October 12th 2012 and continuing through the present day, the plaintiff were contacted by the defendant and other organizations affiliated with, and that appeared to be working for the defendant. Plaintiffs have reason to believe that these organizations were owned and operated by the defendant and being used to conceal the identities of the defendant. These organizations threatened the plaintiffs with the taking their home and money unless they provided certain financial, personal, banking and identifying information to the defendant. Copies of these written communications and a log of telephone communications are attached as Exhibit B.

The defendant also made inquiries of the plaintiff credit report but did not have a permissible purpose.

The defendant obtained records from the public domain that pertain to the plaintiff's property and rights to his property, and then use these records to create additional records and convince the personnel working in the court system to participate in a public auction of the plaintiff's home.

The defendant has deliberately and willfully, falsely presented itself and impersonated itself to the plaintiff as another person to obtain the plaintiff's property for purposes not permitted by law or agreement.

The defendant had an affirmative duty to disclose the purposes for which it coerced plaintiff's banking, personal, financial and identifying information.

The defendant's actions were deliberate and will and negligent and careless. The plaintiff was never provided with a disclosure of the defendant's document retention policy or an explanation of the purposes for which the plaintiff's private information would be used.

The plaintiff requested a copy of the defendant's document retention policy but this request was ignored.

The defendant intentionally and willfully violated the plaintiff's rights to privacy and to keep his private and personal records private.

The defendant engaged in communications with the plaintiff and deceived him into disclosing his private information. The defendant accomplished this by using the information already available to the defendant in the public domain to make it appear as

if the defendant had some legal rights to obtain more of the plaintiff's private information, when the defendant did not have such rights.

After obtaining plaintiff's private information, defendant used this information for its own financial gain and ulterior and undisclosed purposes, and for purposes not permitted by law or by the plaintiff. The defendant has or intends to file claims with the Internal Revenue Service, such as Form 1099, using the plaintiff's identifying information.

The defendant has or intends to use the plaintiff's private information to sell or trade with third parties for the mutual benefit of these parties, exclusive of contrary to the interests of the plaintiff.

The defendant used this information to sell the plaintiffs' property at a public auction in order to further give the appearance that it was legal when it was not.

Since the date of October 12th 2012, and to the best of plaintiff's knowledge, the defendant has been in possession of plaintiff's private information, and without the consent of the plaintiff and without legal authority.

DAMAGES

The plaintiff has suffered damages as a direct and proximate result of the defendant's actions and failures to act.

The plaintiff has suffered the loss of the actual fair market value of his home because the defendant has been encumbering the plaintiff's property, before, during and following the foreclosure thereof. The actual damages are: 1. The fair market value of plaintiff's property in the amount of \$1,000,000. 2. The loss of the money deposited with the lender identified on the mortgage or trust deed lien in the amount of \$1,325,000. 3. Costs and attorney fees associated with defending against the foreclosure process in the amount of \$5,000 and 4. Unauthorized use and retention of plaintiff's personal, banking, financial and identifying information resulting in damages that have not yet fully been able to be calculated by that are estimated to exceed \$250,000 as of this date.

WHEREFORE plaintiff demands judgment against the defendant in the aggregate amount of damages alleged in the complaint of \$2,580,000, together with

other relief this court deems appropriate.

COMPLAINT FOR DAMAGES – 15 U.S.C. §1635

Comes now the plaintiff Claudia Barry and sues the defendant WELLS FARGO BANK, N.A. in the following legal action to protect a private civil right and to compel a civil remedy for damages resulting from violations of Title 15 U.S.C. §§1635 and 1640, and alleges the following:

JURISDICTION

This is an action at law and this court has original jurisdiction pursuant to Article III, Section 2 of the United States Constitution and Title 28 U.S.C. §1331 and 15 U.S.C. §§1635 and 1640.

This is a complaint for damages that exceeds \$75,000.

There is a diversity of citizenship between the plaintiff and defendant.

VENUE

The plaintiff has resided in Santa Clara County at the address known as 12340 Clayton Road, San Jose, California, for all times material to this complaint.

The defendant is a national association doing business in the State of California with its principle place of business at the address of 420 Montgomery Street, San Francisco, California 94163, for all times material to this complaint.

PLAIN STATEMENT

The plaintiff is the mortgagor in a trust deed that was recorded on the date of January 18th 2007, in Santa Clara County, California, in the amount of \$1,325,000. The deed secured the payment of a promissory note made payable to WELLS FARGO BANK, N.A., the lender stated on the trust deed. The trustee's name in this instrument is FIDELITY NATIONAL TITLE INS CO.

There were no other parties identified as having an interest in this trust deed or having any rights thereunder, within the instruments, (note and trust deed).

The defendant sent written communications to the plaintiff stating that it had rights under a trust deed recorded against the plaintiff's property. The plaintiff served the defendant with a notice to rescind and the defendant failed to sue and re-establish

the debt.

The defendant subsequently ignored the notice and continued in its efforts to foreclose.

The plaintiff is now suing for damages resulting therefrom.

COUNT V – COMPLAINT FOR DAMAGES – 15 U.S.C. §1635

Comes now the plaintiff [First Last Name] and sues the defendant [BANK] in the following legal action to protect a private civil right and to compel a civil remedy for damages resulting from violations of Title 15 U.S.C. §§1635 and 1640, and alleges the following:

The plaintiffs re-allege the foregoing and incorporate each statement herein.

Jurisdiction and venue are proper and this complaint is an action at law and is properly before this court.

The plaintiff and defendant were parties to a consumer credit transaction that existed or was consummated on or after September 30, 1995.

The defendant is a creditor within the meaning of 15 U.S.C. §§1601 and 1635 et seq.

PLAIN STATEMENT

The plaintiff is the mortgagor in a trust deed that was recorded on the date of January 18th 2007, in Santa Clara County, California, in the amount of \$1,325,000. The deed secured the payment of a promissory note made payable to WELLS FARGO BANK, N.A., the lender stated on the trust deed. The trustee's name in this instrument is FIDELITY NATIONAL TITLE INS CO.

There were no other parties identified as having an interest in this trust deed or having any rights thereunder, within the instruments, (note and trust deed).

The defendant recently began attempting to foreclose as if it had rights under this trust deed agreement. The plaintiff responded accordingly, as if the defendant had such rights, and also, as if the defendant had the same liabilities as set forth under the Truth and Lending Act, Title 15 U.S.C. §§1635 and 1640.

The creditor failed to provide the plaintiff with the appropriate form of written

notice published and adopted under the provisions of the Truth in Lending Act.

The creditor failed to provide the plaintiff with a comparable written notice of the rights of the plaintiff, that was properly completed by the creditor, and otherwise complied with all statutory requirements regarding the notice.

The plaintiff notified the defendant of his right to rescind.

The plaintiff served a notice to rescind upon the defendant on the date of June 27th 2015, a true and correct copy of this notice is attached as Exhibit C.

The defendant ignored the plaintiff and failed to respond to the notice to rescind by failing to sue the plaintiff and re-establish what it claimed to be the debt under the trust deed and promissory note.

As of the date of August 4th 2015, which exceeds twenty days following the notice to rescind, the trust deed and note were void and did not exist; however, the defendant continued to act as if the note and trust deed were enforceable and subsequently foreclosed upon the plaintiff's property.

The defendant had a duty to either sue the plaintiff to re-establish what it claimed to be the debt or return the plaintiff's money or property within twenty days of receiving the notice to rescind.

The defendant failed to return the note, money or property paid.

The plaintiff served the defendant with a notice of default and intent to sue for its failure to properly respond to the notice to rescind, a true and correct copy is attached as Exhibit C.

The plaintiff was unable to tender the property or money received because of the defendant's failure to comply and no measures to protect or guarantee that such tender of property would cause the defendant to comply with its obligations.

The plaintiff has given timely notice to the defendant within applicable statute of limitations of the Truth in Lending Act in filing this claim

The defendant will not suffer prejudice because of this complaint.

The plaintiff has acted reasonably and in good faith regarding the events leading up to the commencement of this action.

The plaintiff was actively misled by the defendant about the cause of action or was extraordinarily prevented from asserting his rights.

Plaintiff demands a jury trial.

DAMAGES

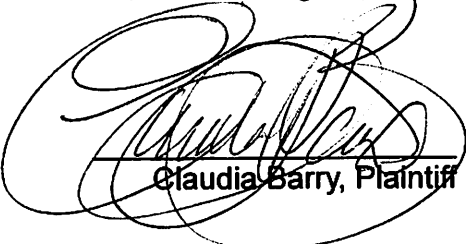
The plaintiff has suffered damages as a direct and proximate result of the defendant's actions and failures to act. Non-compliance is a violation of the Truth in Lending Act which gives rise to a claim for actual and statutory damages under 15 U.S.C. §1640.

The plaintiff has suffered the loss of the actual fair market value of his home because the defendant has failed or refused to sue the plaintiff and reestablish the purported debt that was rescinded by the plaintiff prior to the commencement of this complaint.

The actual damages are: 1. The fair market value of plaintiff's property in the amount of \$1,000,000. 2. The loss of the money deposited with the lender identified on the mortgage or trust deed lien in the amount of \$1,325,000. 3. Costs and attorney fees associated with this action and defending against the foreclosure process in the amount of \$5,000.

WHEREFORE plaintiff demands judgment against the defendant in the aggregate amount of damages alleged in the complaint of \$2,330,000, together with other relief this court deems appropriate.

DATED this ____ day of September, 2015.



Claudia Barry, Plaintiff

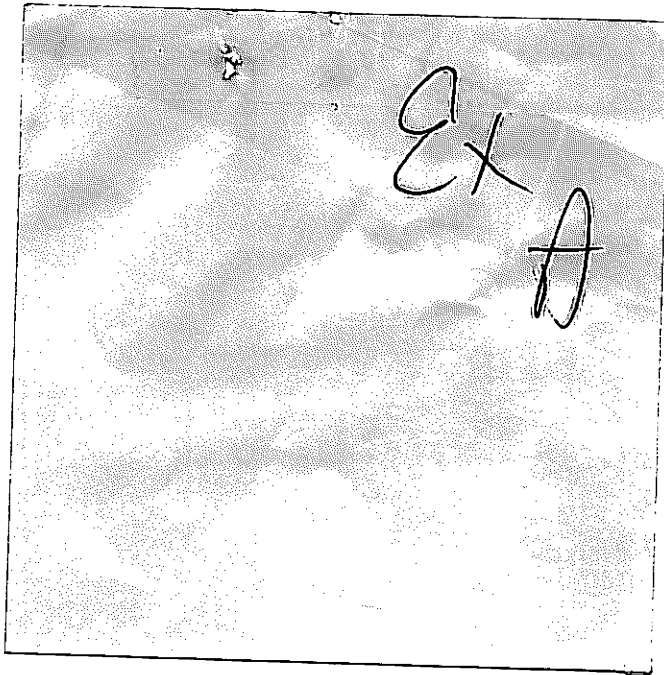


EXHIBIT A

Quality Loan Service Corp.
Return Mail Processing
2763 Camino Del Rio S., 1st FL
San Diego, CA 92108



7103 9628 5942 2237 2321



CA-14-628904-HL
CLAUDIA A BARRY, AS CO-TRUSTEE OF THE BARRY REVOCABLE TRUST DATE 2/3/1992 AMENDED
AND RESTATED ON 6/28/1999
12340 CLAYTON ROAD
SAN JOSE, CA 95127



14221098



VD02

Recording requested by:
Quality Loan Service Corp.

When recorded mail to:
Quality Loan Service Corporation
411 Ivy Street
San Diego, CA 92101

DOCUMENT: 22967698



Pages: 2

Fees. . .	28.00
Taxes. . .	.00
Copies . .	.00
AMT PAID	28.00

REGINA ALCOMENDRAS
SANTA CLARA COUNTY RECORDER
Recorded at the request of
ServiceLink - Irvine SIM

RDE # 008
5/28/2015
11:18 AM

TS No. CA-14-628904-HL
Order No.: 140139602-CA-VOI

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF TRUSTEE'S SALE

NOTE: THERE IS A SUMMARY OF THE INFORMATION IN THIS DOCUMENT ATTACHED TO THE COPY PROVIDED TO THE MORTGAGOR OR TRUSTOR (Pursuant to Cal. Civ. Code 2923.3)

注：本文件包含一个信息摘要

참고사항: 본 첨부 문서에 정보 요약서가 있습니다

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YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 1/18/2007. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

A public auction sale to the highest bidder for cash, cashier's check drawn on a state or national bank, check drawn by state or federal credit union, or a check drawn by a state or federal savings and loan association, or savings association, or savings bank specified in Section 5102 to the Financial Code and authorized to do business in this state, will be held by duly appointed trustee. The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

BENEFICIARY MAY ELECT TO BID LESS THAN THE TOTAL AMOUNT DUE.

Trustor(s): **WARREN L. BARRY AND CLAUDIA A. BARRY, AS TRUSTEES OF THE BARRY REVOCABLE TRUST DATE 2/3/1992 AS AMENDED AND RESTATED ON 6/28/99**
Recorded: **1/30/2007 as Instrument No. 19282693** of Official Records in the office of the Recorder of **SANTA CLARA** County, California;

Date of Sale: **6/18/2015 at 10:00 AM**
Place of Sale: **At the North Market Street entrance to the Superior Courthouse located at 190 N. Market Street San Jose, California 95113**
Amount of unpaid balance and other charges: **\$1,344,534.67**
The purported property address is: **12340 CLAYTON RD, SAN JOSE, CA 95127-5013**
Assessor's Parcel No.: **654-26-016**

TS No.: CA-14-628904-HL

NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property.

NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call 800-827-4822 for information regarding the trustee's sale or visit this Internet Web site <http://www.qualityloan.com>, using the file number assigned to this foreclosure by the Trustee: CA-14-628904-HL. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale.

The undersigned Trustee disclaims any liability for any incorrectness of the property address or other common designation, if any, shown herein. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale.

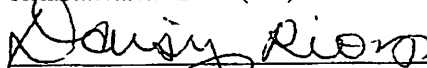
If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.

If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holders right's against the real property only. As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit report agency if you fail to fulfill the terms of your credit obligations.

QUALITY MAY BE CONSIDERED A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Date: 05/26/2015

Quality Loan Service Corporation
411 Ivy Street
San Diego, CA 92101
619-645-7711 For NON SALE information only
Sale Line: 800-827-4822
Or Login to: <http://www.qualityloan.com>
Reinstatement Line: (866) 645-7711 Ext 5318



Quality Loan Service Corp. by: Daisy Rios, as Authorized Agent.

Trustee Sale Number: CA-14-628904-HL

NOTICE OF SALE
SUMMARY OF KEY INFORMATION

The attached notice of sale was sent to WARREN L. BARRY, CLAUDIA A. BARRY, in relation to 12340 CLAYTON RD, SAN JOSE, CA 95127-5013.

YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 1/18/2007. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE.

IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

The total amount due in the notice of sale is \$1,344,534.67. Your property is scheduled to be sold on 6/18/2015 at 10:00 AM at At the North Market Street entrance to the Superior Courthouse located at 190 N. Market Street San Jose, California 95113.

However, the sale date shown on the attached notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call 800-827-4822 or visit this Internet Web site address <http://www.qualityloan.com> using the file number assigned to this case CA-14-628904-HL. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale.

If you would like additional copies of this summary, you may obtain them by calling 619-645-7711.

Recording requested by:
Quality Loan Service Corp.

When recorded mail to:
Quality Loan Service Corporation
411 Ivy Street
San Diego, CA 92101

DOCUMENT: 22967698



Pages: 2

Fees. . . .	28.00
Taxes. . .	.00
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AMT PAID	28.00

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SANTA CLARA COUNTY RECORDER
Recorded at the request of
ServiceLink - Irvine SIM

RDE # 008
5/28/2015
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TS No. CA-14-628904-HL
Order No.: 140139602-CA-VOI

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The undersigned Trustee disclaims any liability for any incorrectness of the property address or other common designation, if any, shown herein. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale.


If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.

If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holders right's against the real property only. As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit report agency if you fail to fulfill the terms of your credit obligations.

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Trustee Sale Number: CA-14-628904-HL

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Trustee Sale Number: CA-14-628904-HL

出售通知
關鍵信息摘要

本文中包含的有關 12340 CLAYTON RD, SAN JOSE, CA 95127-5013
(所涉抵押貸款或產權契約違約的房產描述)

的出售通知發送給 WARREN L. BARRY, CLAUDIA A. BARRY 。
(委托人姓名)

你的 Deed of Trust 於 1/18/2007 已經逾期違約。
(產權契約或抵押貸款) (日期)

除非你採取行動保護你的房產，否則該房產將被公開出售。

如果你需要了解對你的訴訟程序的性質，應該聯系一名律師。

法拍書面通知的總金額是 \$1,344,534.67。

你的房產預計出售的時間 6/18/2015 10:00 AM
(出售日期和時間)

出售地點 At the North Market Street entrance to the Superior Courthouse located at 190
N. Market Street San Jose, California 95113。
(出售位置)

然而，根據加州民法第2924章g條款，本文中包含的法拍書面通知上顯示的出售日期可能會被抵押
權人，受益人，受托人，或法院一次或多次推遲。該法規定，作為對不在法拍現場人士的一種寬
限，有關受托人推遲出售的信息要提供給你和公眾。如果你了解你的房產出售日期是否已被推
遲，以及（如適用）重新安排的法拍時間和日期，可致電 800-827-4822
(關於受托人出售信息的電話號碼)

或訪問互聯網網址 <http://www.qualityloan.com>，用指定的檔案編號
(互聯網網址提供的出售該房產的信息)

CA-14-628904-HL 查找。
(案件檔案號)

關於推遲法拍的信息，持續時間會很短，或僅在預定法拍時間前不久發布，可能不會立即反映在
電話信息或互聯網的網址上。最好驗證推遲信息的方法是，出席預定的拍賣。

如果你想獲得更多的本摘要副本，請撥打下列電話 619-645-7711。
(電話號碼)

Trustee Sale Number: CA-14-628904-HL

매각 공고
주요 정보 요약

첨부된 매각 공고는 WARREN L. BARRY, CLAUDIA A. BARRY 에게 발송되는 것이며,
이는

(신탁 설정자 성명)

12340 CLAYTON RD, SAN JOSE, CA 95127-5013 에 관한 것입니다. (채무 불이행 저당권 또는
신탁 증서를 보증하는 부동산에 대한 설명)

귀하는 1/18/2007 현재 날짜로 Deed of Trust 하에서

(신탁 증서 또는 저당권)

채무 불이행 상태입니다. 귀하의 부동산을 보호하기 위해 조치를 취하지 않는 한, 귀하의 부동산은
공매로 매각 처분될 수 있습니다. 귀하에게 취해지는 이러한 법적 절차에 대한 설명이 필요하신 경우
변호사와 상담하십시오.

매각 공고에서 지불되어야 할 총액은 \$1,344,534.67 입니다.

귀하의 부동산은 6/18/2015 10:00 AM

(매각 일자 및 시간)

에 At the North Market Street entrance to the Superior Courthouse located at 190 N.
Market Street San Jose, California 95113 에서 매각되기로 일정이 잡혀 있습니다.

(매각 장소)

그러나 캘리포니아주 민법 2924g항에 준하여, 첨부된 매각 공고에 나타난 매각 일자는 저당권자,
신탁수익자, 수탁자, 또는 법정에 의해 한 번 이상 연기될 수 있습니다. 법에 따라, 수탁자 매각 연기에
관한 정보는 매각에 참석하지 않는 사람들에게 대한 호의로서 귀하 및 일반 대중에게 제공되어야 합니다.
매각 일자가 연기되었는 지, 그리고 해당되는 경우 이 부동산의 연기된 매각 일자 및 시간에 대해 알기
원하시는 경우, 800-827-4822로 전화하시거나 또는 웹사이트 주소

(수탁자 매각에 관한 정보 안내 전화번호)

<http://www.qualityloan.com> 를 방문해 본 사례 배정 파일 번

Notice of Sale – Korean (Revised 3/28/13)

Trustee Sale Number: CA-14-628904-HL

(본 부동산의 매각에 관한 정보 안내 인터넷 웹사이트)

CA-14-628904-HL 를 사용하시면 됩니다.

(사례 파일 번호)

매우 짧은 기간의 연기 또는 매각 일정과 가까운 시간에 발생하는 연기는 정보 안내 전화나 인터넷 웹사이트에 즉각적으로 나타나지 않을 수 있습니다. 연기 정보를 확인하는 최선의 방법은 매각 예정일에 참석하는 것입니다.

본 요약서의 추가적인 사본을 원하시는 경우, 619-645-7711 (으)로 전화하시면

(전화번호)

보내드립니다.

Trustee Sale Number: CA-14-628904-HL

**AVISO DE VENTA
RESUMEN DE LA INFORMACIÓN CLAVE**

El aviso de venta adjunto se envió a WARREN L. BARRY, CLAUDIA A. BARRY (Fideicomitente), en relación con 12340 CLAYTON RD, SAN JOSE, CA 95127-5013 (descripción de la propiedad que garantiza la hipoteca o escritura de fideicomiso en mora).

USTED HA INCUMPLIDO LOS TÉRMINOS DE UNA DEED OF TRUST (escritura de fideicomiso o hipoteca) DE FECHA 1/18/2007. SI NO TOMA MEDIDAS PARA PROTEGER SU PROPIEDAD, PODRÁ SER VENDIDO EN UNA SUBASTA PÚBLICA.

SI USTED NECESITA QUE LE EXPLIQUEN LA NATURALEZA DEL PROCEDIMIENTO EN SU CONTRA, DEBE CONSULTAR A UN ABOGADO.

El importe total adeudado correspondiente al aviso de venta es \$1,344,534.67.

La subasta de la propiedad se ha programado para el día 6/18/2015 10:00 AM (fecha y hora de la subasta) en At the North Market Street entrance to the Superior Courthouse located at 190 N. Market Street San Jose, California 95113 (lugar de la subasta).

No obstante, conforme al Artículo 2924g del Código Civil de California, la fecha de la subasta que figura en el aviso adjunto podrá ser postergada una o más veces por el acreedor hipotecario, el beneficiario, el fideicomisario o un tribunal. La ley exige que, como cortesía para quienes no hayan asistido a la subasta, la información sobre las postergaciones solicitadas por el fideicomisario se ponga a disposición suya y del público en general. Si desea saber si la subasta de su propiedad se ha postergado, y, en tal caso, la nueva fecha propuesta para la subasta de esta propiedad, puede llamar al teléfono 800-827-4822 (número de teléfono para obtener información sobre la subasta del fideicomisario) o visitar el sitio web <http://www.qualityloan.com> (dirección del sitio web para obtener información sobre la subasta de la propiedad), usando el número de registro asignado a este caso CA-14-628904-HL (número de registro del caso).

Es posible que la información sobre las postergaciones por plazos muy breves o decididas muy próximo a la fecha programada para la subasta no figuren en la información que se ofrece por teléfono o en el sitio web. La mejor forma de verificar la información sobre las postergaciones es asistir a la subasta que se ha programado.

Si desea recibir copias adicionales de este resumen, puede llamar al teléfono 619-645-7711 (ingresar número de teléfono).

Trustee Sale Number: CA-14-628904-HL

**PABATID NG PAGBEBENTA
BUOD NG PANGUNAHING IMPORMASYON**

Ang nakakalip na notice of sale (pabatid ng pagbebenta) ay ipinadala kay WARREN L. BARRY, CLAUDIA A. BARRY (Nagkakatiwala), bilang kaugnayan sa 12340 CLAYTON RD, SAN JOSE, CA 95127-5013 (paglalarawan sa ari-arian na nagtitibay sa isinangla o deed of trust o papeles ng panagot sa utang, na hindi nabayaran.)

IKAW AY HINDI NAKABAYAD SA ILALIM NG DEED OF TRUST (deed of trust o papeles ng panagot sa utang o isinangla) NA MAY PETA NA 1/18/2007 . MALIBAN KUNG KAYO AY KUMILOS UPANG MAPROTEKTAHAN ANG INYONG ARI-ARIAN, MAAARI ITONG IBENTA SA ISANG PAMPUBLIKONG PAGBEBENTA.

KUNG KINAKAILANGAN NINYO NG PAGPAPALIWANAG SA KALIKASAN NG PAGLILITIS LABAN SA INYO, KAILANGAN NINYONG MAKIPAG-UGNAYAN SA ISANG ABOGADO.

Ang kabuuang halaga na dapat bayaran sa notice of sale (pabatid ng pagbebenta) ay \$1,344,534.67.

Ang inyong ari-arian ay nakatakdang mabenta sa 6/18/2015 10:00 AM (petsa at oras ng pagbebenta) sa At the North Market Street entrance to the Superior Courthouse located at 190 N. Market Street San Jose, California 95113 (lugar ng bentahan).

Gayunman, ang petsa ng pagbebenta na ipinapakita sa nakalakip na notice of sale (pabatid ng pagbebenta) ay maaaring maantala ng isa o mas marami pang beses ng nagkaloob ng isinangla, benepisyaryo, pinagkatiwalaan, o ng korte, alinsunod sa Seksyon 2924g ng Kodigong Sibil ng California. Hinihiling ng batas na ang impormasyon tungkol sa mga pagpaantala sa pagbebenta ng pinagkatiwalaan ay handang maibigay sa inyo at sa publiko, bilang isang kagandahang-loob doon sa mga hindi makakadalo sa bentahan. Kung nais ninyong lubos pang matutunan kung naantala ang inyong petsa sa pagbebenta, at kung naaangkop, ang natakda muli na oras at petsa sa bentahan ng ari-arian, maaari kayong tumawag sa 800-827-4822 (ang numero ng telepono para makakuha ng impormasyon hinggil sa pagbebenta ng pinagkatiwalaan) o bumisita dito sa Internet Web site address <http://www.qualityloan.com> (Ang Internet website address para makakuha ng impormasyon hinggil sa pagbebenta ng ari-arian na ito) gamit ang numero ng file na itinalaga sa kasong ito CA-14-628904-HL (numero ng file ng kaso). Impormasyon tungkol sa mga pagpaaantala sa loob ng maikling panahon o maaaring maganap kalapit ng itinakdang pagbebenta ay maaaring hindi kaagad masaad sa impormasyon mula sa telepono o sa Internet Web site. Ang pinakamainam na paraan upang mapatotohanan ang impormasyon sa pagpaaantala ng petsa ay ang pagdalo sa nakatakdang petsa ng bentahan.

Kung nais ninyo ng karagdagang mga kopya ng buod na ito, maaari ninyong makuha ang mga ito sa pamamagitan ng pagtawag sa 619-645-7711 (ilagay ang numero ng telepono).

Trustee Sale Number: CA-14-628904-HL

**THÔNG BÁO BÁN
BẢN TRÌNH BÀY TÓM LƯỢC VỀ THÔNG TIN CHÍNH**

Thông báo rao bán kèm theo được gửi tới cho WARREN L. BARRY, CLAUDIA A. BARRY, (Bên ủy thác)

liên quan đến

12340 CLAYTON RD, SAN JOSE, CA 95127-5013 (Mô tả căn nhà thế chấp cho khoản vay thế chấp mua nhà hoặc khế ước ủy thác bị vi phạm)

QUÝ VỊ VI PHẠM QUY ĐỊNH GHI THEO DEED OF TRUST (khế ước ủy thác hoặc hợp đồng vay thế chấp mua nhà)

NGÀY 1/18/2007. TRỪ KHI QUÝ VỊ CÓ HÀNH ĐỘNG BẢO VỆ CĂN NHÀ CỦA QUÝ VỊ, CĂN
(ngày)

NHÀ CÓ THỂ BỊ BÁN CÔNG KHAI.

NẾU QUÝ VỊ CẦN LỜI GIẢI THÍCH VỀ TÍNH CHẤT CỦA THỦ TỤC CHÓNG LẠI QUÝ VỊ, QUÝ VỊ NÊN
LIÊN LẠC VỚI MỘT LUẬT SƯ.

Toàn bộ số tiền phải trả trong thông báo bán là \$1,344,534.67. (toàn bộ số tiền phải trả)

Căn nhà của quý vị được dự kiến sẽ bán vào 6/18/2015 10:00 AM (ngày và giờ rao bán)

tại At the North Market Street entrance to the Superior Courthouse located at 190 N. Market Street San Jose, California
95113 (địa điểm bán)

Tuy nhiên, ngày bán ghi trong thông báo bán kèm theo có thể bị trì hoãn một hoặc nhiều lần bởi bên cho vay thế chấp, người thụ hưởng, người được ủy quyền, hoặc tòa án, chiếu theo Mục 2924g của Bộ Luật Dân Sự California. Luật pháp quy định thông tin về các trường hợp trì hoãn bán nhà của bên được ủy quyền phải được cung cấp cho quý vị và công chúng, để cập nhật cho những người không có mặt tại buổi rao bán. Nếu quý vị muốn biết ngày rao bán của quý vị có bị trì hoãn hay không, và, nếu thích hợp, ngày giờ mới cho việc rao bán căn nhà này, quý vị có thể gọi

800-827-4822

(số điện thoại để biết thông tin về việc rao bán của bên được ủy thác)

hoặc tới địa chỉ Internet này <http://www.qualityloan.com> (địa chỉ Internet để biết thông tin về việc giao bán căn nhà đó)

dựa trên mã số hồ sơ được ấn định cho vụ này CA-14-628904-HL. Thông tin (mã số hồ sơ) về các trường hợp trì hoãn rất ngắn hoặc xảy ra ngay sát ngày rao bán dự kiến có thể không được phản ánh ngay trong thông tin cung cấp qua điện thoại hoặc trên Internet. Cách tốt nhất để xác minh thông tin trì hoãn là tham dự buổi rao bán đã ấn định.

Nếu quý vị muốn có thêm bản sao của tài liệu trình bày tóm lược này, vui lòng gọi số 619-645-7711
(số điện thoại)



 411 Ivy Street • San Diego, CA 92101 • 619-645-7711

6/8/2015

Re : Trustor(s): WARREN L. BARRY, CLAUDIA A. BARRY
 Our File No: CA-14-628904-HL
 Property: 12340 CLAYTON RD, SAN JOSE, CA 95127-5013
 Loan Type: Conventional Residential

NOTICE: THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

This correspondence is sent in conjunction with the processing of a non-judicial foreclosure. Your request does not stop the foreclosure proceedings from continuing. **Accordingly, it is your responsibility to determine if a Trustee's sale might be scheduled for a date earlier than the expiration date of these figures. Unless you obtain written acknowledgement that any scheduled sale will be postponed, the sale will be held as scheduled.**

SALE SCHEDULED FOR 6/18/2015

You have requested reinstatement figures good through **6/17/2015**. Since the foreclosure fees and costs of this action and other amounts may increase daily, we have quoted the amount due as of today together with an estimated reinstatement amount good through the date requested.

***Please Note:** Requesting a reinstatement or payoff quote does not stop the foreclosure process. Waiting to make your payment may increase the amount necessary to cure the default. Please see dates and amounts below which will increase as the foreclosure process continues. you should submit payment as quickly as possible to avoid incurring any additional fees or costs.*

The amount to reinstate the above referenced loan as of the date of: 6.17.2015 is: **\$144,399.63**

Payments from 12/1/2013 :	\$118,030.23
Late Charges :	\$1,239.20
Advances :	\$23,976.62
Foreclosure Fees and Costs :	\$3,198.02
Payment Received From Servicer:	(\$2,044.44)

Incurred Foreclosure Fees And Costs : \$3,028.02
Estimated Foreclosure Fees and Costs: \$170.00

Total Amount Due By 6/17/2015

\$144,399.63

Be advised that the amount is accurate only through the date cited herein and will increase thereafter. We reserve the right to update this reinstatement figure through the projected date as issuance of this reinstatement letter does not suspend the foreclosure action, or the payment of taxes, insurance or other miscellaneous expenses on your account. You must contact this office to verify these figures have not changed.

If you do not contact us, and if you pay the estimated reinstatement amount, we will send any refund to you. Please complete the attached information form and return it with your reinstatement funds.

In the event you intend on transmitting funds electronically, you must obtain and comply with wiring instructions provided by our office. Our office has specific procedures and requirements for electronic transfer of funds in order to ensure receipt and proper application.

Thank you,

Janis Morley
Payoff/Reinstatement Lead
cc: **WELLS FARGO BANK N.A.**



411 Ivy Street • San Diego, CA 92101 • 619-645-7711

Trustee Sale Number: CA-14-628904-HL

Please submit your cashier's check, payable to Quality Loan Service Corporation, directly to this office:

**Attn: Accounting / Disbursement Dept.
Quality Loan Service Corporation
411 Ivy Street
San Diego, CA 92101**

Refund Information Form

Please provide the information below and return it with your payoff funds.

Name: _____
Daytime Phone: _____ Evening Phone: _____
Address: _____

Name and address for return of any refund

☐ Same as above
☐ Other (please state below)



411 Ivy Street • San Diego, CA 92101 • 619-645-7711

Wire Instructions

Wire Instructions to Cornerstone Bank Account

Cornerstone Bank
York, NE 68467

For credit to Quality Loan Service – Escrow Account
#303958 ABA#104900349

It is the remitter's obligation to notify our office prior to forwarding wired funds; failure to notify our office will delay or make impossible the application of your reinstatement or payoff and may result in a sale taking place after your wire is sent. Any wires transmitted to our office within 5 days of any scheduled sale date are sent at the remitter's own risk and applicable to the obligation cannot be presumed. **It is the obligation of the remitter to confirm receipt of funds by our office and verify any scheduled action is stopped.** Due to the nature of electronic banking, the electronic receipt of funds by our financial institution does not in and of itself constitute timely reinstatement or payoff. You must confirm our receipt and identification of electronic funds by our office before you assume the payment is received or accepted.

Confidentiality Notice: The information contained herein may be privileged and protected by the attorney/client and or another privilege. It is confidential in nature and intended for use by the addressee herein only. If you are not the intended recipient, you are hereby expressly prohibited from dissemination distribution, copy or any use whatsoever of the transmission and its contents. If you receive this transmission in error, please call the sender and arrangements will be made to retrieve the originals from you at no charge.

****NOTICE- REQUIRED INFORMATION****

When sending the wire **you must include the Trustee Sale Number (reference number), the loan number, and the name of the borrower(s).** If this information is not included we may be unable to identify which account to apply the funds to and could result in your wire being returned.

Please also complete the *Refund Information Form* attached to the request provided and fax to 866-813-3850 or email a copy to disbursement@qualityloan.com. This information will be utilized if there is a refund owed on the funds submitted.



411 Ivy Street • San Diego, CA 92101 • (866) 645-7711

June 24, 2015

WARREN L. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

CLAUDIA A. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

RE: **Notice of Postponement of Trustee's Sale**
Trustee's Sale No.: CA-14-628904-HL
Property Address: 12340 CLAYTON RD, SAN JOSE, CA 95127-5013

You are hereby notified that the above-referenced Trustee's Sale has been postponed to 7/27/2015 at 10:00 AM at the place originally set forth in the Notice of Trustee's Sale.

It is important that you monitor all sale activity and attend the sale to protect your interest. The sale may be conducted without further notification.

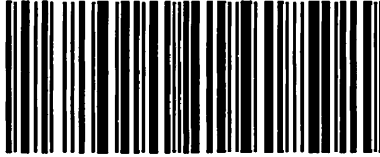
You can obtain information about postponements of the Trustee's Sale listed above by calling 800-827-4822 or visiting <http://www.qualityloan.com>, using the file number assigned to this foreclosure by the Trustee: CA-14-628904-HL and by accepting the terms and conditions for use of these resources. You should personally attend the sale to verify current status.

UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE WITHOUT FURTHER NOTICE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

QUALITY MAY BE CONSIDERED A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Quality Loan Service Corporation

Quality Loan Service Corp.
Return Mail Processing
2763 Camino Del Rio S., 1st FL
San Diego, CA 92108



7103 9628 5942 2295 2882



CA-14-628904-HL
CLAUDIA A. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013

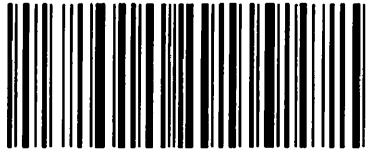


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Quality Loan Service Corp.
Return Mail Processing
2763 Camino Del Rio S., 1st FL
San Diego, CA 92108



7103 9628 5942 2455 8419



CA-14-628904-HL
WARREN L. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013



14554817



QA02



411 Ivy Street • San Diego, CA 92101 • (866) 645-7711

August 03, 2015

WARREN L. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

CLAUDIA A. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

RE: **Notice of Postponement of Trustee's Sale**
Trustee's Sale No.: CA-14-628904-HL
Property Address: 12340 CLAYTON RD, SAN JOSE, CA 95127-5013

You are hereby notified that the above-referenced Trustee's Sale has been postponed to 8/24/2015 at 10:00 AM at the place originally set forth in the Notice of Trustee's Sale.

It is important that you monitor all sale activity and attend the sale to protect your interest. The sale may be conducted without further notification.

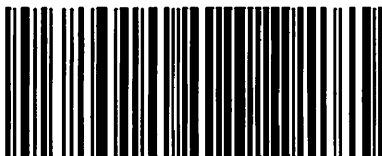
You can obtain information about postponements of the Trustee's Sale listed above by calling 888-988-6736 or visiting <http://www.qualityloan.com>, using the file number assigned to this foreclosure by the Trustee: CA-14-628904-HL and by accepting the terms and conditions for use of these resources. You should personally attend the sale to verify current status.

UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE WITHOUT FURTHER NOTICE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

QUALITY MAY BE CONSIDERED A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Quality Loan Service Corporation

**Quality Loan Service Corp.
Return Mail Processing
2763 Camino Del Rio S., 1st FL
San Diego, CA 92108**



7103 9628 5942 2391 5312



**CA-14-628904-HL
CLAUDIA A. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013**



14463105



R602



411 Ivy Street • San Diego, CA 92101 • (866) 645-7711

August 31, 2015

WARREN L. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

CLAUDIA A. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

RE: Notice of Postponement of Trustee's Sale
Trustee's Sale No.: CA-14-628904-HL
Property Address: 12340 CLAYTON RD, SAN JOSE, CA 95127-5013

You are hereby notified that the above-referenced Trustee's Sale has been postponed to 10/8/2015 at 10:00 AM at the place originally set forth in the Notice of Trustee's Sale.

It is important that you monitor all sale activity and attend the sale to protect your interest. The sale may be conducted without further notification.

You can obtain information about postponements of the Trustee's Sale listed above by calling 888-988-6736 or visiting <http://www.qualityloan.com>, using the file number assigned to this foreclosure by the Trustee: CA-14-628904-HL and by accepting the terms and conditions for use of these resources. You should personally attend the sale to verify current status.

UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE WITHOUT FURTHER NOTICE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

QUALITY MAY BE CONSIDERED A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. TO THE EXTENT YOUR OBLIGATION HAS BEEN DISCHARGED OR IS SUBJECT TO THE AUTOMATIC STAY IN A BANKRUPTCY CASE, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR AN ATTEMPT TO COLLECT A DEBT AS YOUR PERSONAL OBLIGATION.

Quality Loan Service Corporation

Trustee Sale Number: CA-14-628904-HL

NOTICE OF SALE
SUMMARY OF KEY INFORMATION

The attached notice of sale was sent to WARREN L. BARRY, CLAUDIA A. BARRY, in relation to 12340 CLAYTON RD, SAN JOSE, CA 95127-5013.

YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 1/18/2007. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE.

IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

The total amount due in the notice of sale is \$1,344,534.67. Your property is scheduled to be sold on 6/18/2015 at 10:00 AM at At the North Market Street entrance to the Superior Courthouse located at 190 N. Market Street San Jose, California 95113.

However, the sale date shown on the attached notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call 800-827-4822 or visit this Internet Web site address <http://www.qualityloan.com> using the file number assigned to this case CA-14-628904-HL. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale.

If you would like additional copies of this summary, you may obtain them by calling 619-645-7711.

ServiceLink

Recording requested by:
Quality Loan Service Corp

When recorded mail to:
Quality Loan Service Corporation
411 Ivy Street
San Diego, CA 92101



22741832

Fees	34.00
Taxes...	.00
Copies ..	.00
AMT PAID	34.00

REGINA ALCOMENDRAS
SANTA CLARA COUNTY RECORDER
Recorded at the request of
LSI TITLE COMPANY - SIMPLIFILE

RDE # 005
10/15/2014
01:04 PM

TS No.: CA-14-628904-HL
Order No.: 140139602-CA-VOI
APN No.: 654-26-016

Space above this line for Recorder's use

IMPORTANT NOTICE
NOTICE OF DEFAULT AND ELECTION TO SELL
UNDER DEED OF TRUST

NOTE: THERE IS A SUMMARY OF THE INFORMATION IN THIS DOCUMENT ATTACHED TO THE COPY PROVIDED TO THE MORTGAGOR OR TRUSTOR (Pursuant to Cal. Civ. Code § 2923.3)

注：本文件包含一个信息摘要

참고사항: 본 첨부 문서에 정보 요약서가 있습니다

NOTA: SE ADJUNTA UN RESUMEN DE LA INFORMACIÓN DE ESTE DOCUMENTO
TALA: MAYROONG BUOD NG IMPORMASYON SA DOKUMENTONG ITO NA NAKALAKIP
LƯU Ý: KÈM THEO ĐÂY LÀ BẢN TRÌNH BÀY TÓM LƯỢC VỀ THÔNG TIN TRONG TÀI LIỆU NÀY

IF YOUR PROPERTY IS IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR PAYMENTS, IT MAY BE SOLD WITHOUT ANY COURT ACTION, and you may have the legal right to bring your account in good standing by paying all of your past due payments plus permitted costs and expenses within the time permitted by law for reinstatement of your account, which is normally five business days prior to the date set for the sale of your property. No sale date may be set until approximately 90 days from the date this Notice of Default may be recorded (which date of recordation appears on this notice). This amount is **\$76,675.67** as of **10/14/2014** and will increase until your account becomes current.

While your property is in foreclosure, you still must pay other obligations (such as insurance and taxes) required by your note and deed of trust or mortgage. If you fail to make future payments on the loan, pay taxes on the property, provide insurance on the property, or pay other obligations as required in the note and deed of trust or mortgage, the beneficiary or mortgagee may insist that you do so in order to reinstate your account in good standing. In addition, the beneficiary or mortgagee may require as a condition of reinstatement that you provide reliable written evidence that you paid all senior liens, property taxes, and hazard insurance premiums.

Upon your written request, the beneficiary or mortgagee will give you a written itemization of the entire amount you must pay. You may not have to pay the entire unpaid portion of your account, even though full payment was demanded, but you must pay all amounts in default at the

TS No.: CA-14-628904-HL

time payment is made. However, you and your beneficiary or mortgagee may mutually agree in writing prior to the time the notice of sale is posted (which may not be earlier than three-months after this Notice of Default is recorded) to, among other things, (1) provide additional time in which to cure the default by transfer of the property or otherwise; or (2) establish a schedule of payments in order to cure your default; or both (1) and (2).

Following the expiration of the time period referred to in the first paragraph of this notice, unless the obligation being foreclosed upon or a separate written agreement between you and your creditor permits a longer period, you have only the legal right to stop the sale of your property by paying the entire amount demanded by your creditor.

To find out the amount you must pay, or arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact:

**Wells Fargo Bank, NA
C/O Quality Loan Service Corporation
411 Ivy Street
San Diego, CA 92101
619-645-7711**

If you have any questions, you should contact a lawyer or the governmental agency which may have insured your loan. Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale provided the sale is concluded prior to the conclusion of the foreclosure.

Remember, YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION.

NOTICE IS HEREBY GIVEN: That the undersigned is either the original trustee, the duly appointed substituted trustee, or acting as agent for the trustee or beneficiary under a Deed of Trust dated 1/18/2007, executed by **WARREN L. BARRY AND CLAUDIA A. BARRY**, AS **TRUSTEES OF THE BARRY REVOCABLE TRUST DATE 2/3/1992 AS AMENDED AND RESTATED ON 6/28/99**, as Trustor, to secure certain obligations in favor of **WELLS FARGO BANK, N.A.**, as beneficiary, recorded 1/30/2007, as Instrument No. 19282693, of Official Records in the Office of the Recorder of **SANTA CLARA County, California** describing land therein: **as more fully described in said Deed of Trust.**

Said obligations including 1 NOTE(S) FOR THE ORIGINAL sum of **\$1,325,000.00**, that the beneficial interest under such Deed of Trust and the obligations secured thereby are presently held by the beneficiary; that a breach of, and default in, the obligations for which such Deed of Trust is security has occurred in that payment has not been made of:

The installments of principal and interest which became due on 12/1/2013, and all subsequent installments of principal and interest through the date of this Notice, plus amounts that are due for late charges, delinquent property taxes, insurance premiums, advances made on senior liens, taxes and/or insurance, trustee's fees, and any attorney fees and court costs arising from or associated with the beneficiaries efforts to protect and preserve its security, all of which must be paid as a condition of reinstatement, including all sums that shall accrue through reinstatement or pay-off. Nothing in this notice shall be construed as a waiver of any fees owing to the Beneficiary under the Deed of Trust pursuant to the terms of the loan documents.

DECLARATION OF COMPLIANCE

(California Civil Code Section 2923.55(c))

Borrower(s): CLAUDIA A BARRY
WARREN L BARRY

Property Address: 12340 CLAYTON RD
SAN JOSE CA 95127

The undersigned, as an authorized agent or employee of the mortgage servicer named below, declares that:

1. ☐ The mortgage servicer has contacted the borrower pursuant to California Civil Code §2923.55(b)(2) to "assess the borrower's financial situation and explore options for the borrower to avoid foreclosure". Thirty (30) days, or more, have passed since the initial contact was made.
2. ☒ The mortgage servicer has exercised due diligence to contact the borrower pursuant to California Civil Code §2923.55(f) to "assess the borrower's financial situation and explore options for the borrower to avoid foreclosure". Thirty (30) days, or more, have passed since these due diligence efforts were satisfied.
3. ☐ No contact was required by the mortgage servicer because the individual(s) identified above did not meet the definition of "borrower" pursuant to subdivision (c) of California Civil Code §2920.5.
4. ☐ The requirements of California Civil Code §2923.55 do not apply because the loan is not secured by a first lien mortgage or deed of trust on "owner-occupied" residential real property as defined by California Civil Code §2924.15(a).

I certify that this declaration is accurate, complete and supported by competent and reliable evidence which the mortgage servicer has reviewed to substantiate the borrower's default and the right to foreclose, including the borrower's loan status and loan information.

Wells Fargo Bank, N.A.

By: Pamela R Baker
Name: Pamela R Baker
Title: VP Loan Documentation
Date: 07/01/2014

QUALITY LOAN SERVICE CORPORATION
411 Ivy Street, San Diego, CA 92101
(866) 645-7711

Loan Number: XXXXXX9827
T.S. Number: CA-14-628904-HL
Property Address: 12340 CLAYTON RD
SAN JOSE, CA 95127-5013

Date: 10/14/2014

DEBT VALIDATION NOTICE

QUALITY LOAN SERVICE CORPORATION ("Quality"), a nonjudicial foreclosure trustee, has been instructed to commence foreclosure proceedings against the above-referenced property. Pursuant to, and in compliance with, the Fair Debt Collection Practices Act and Rosenthal Fair Debt Collection Practices Act, Quality provides the following notices:

The total amount of the debt currently owed is \$1,304,412.25. Because of interest, late charges, and other charges that may vary from day-to-day, the amount due on the day you pay may be greater. For further information, or to request a statement of all of these amounts computed through a specified date, please contact us at the address or telephone number above. The current creditor to whom the debt/loan is owed is: Wells Fargo Bank, NA.

Quality will assume this debt to be valid unless you dispute its validity, or any part of it, within 30 days after receiving this notice. If you notify Quality in writing within the 30-day period that the debt or any part of it is disputed, Quality will obtain and mail to you a copy of a writing or verification evidencing the debt. If you request from Quality in writing within the 30-day period the name and address of the original creditor, Quality will obtain and mail to you the name and address of the original creditor. Written requests pursuant to this Notice should be directed to the address above. Even though the nonjudicial foreclosure process will likely proceed during the 30-day period, you still retain your rights set forth in this paragraph.

If you have received a discharge in bankruptcy of the above-referenced debt Quality is not seeking to collect any portion of the debt and all information in this Notice is supplied for informational purposes only and any pending or ensuing action by Quality is solely aimed to foreclose the security interest in the above-referenced property and is not an effort to collect the discharged debt from you personally.

The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or <http://www.ftc.gov> attempting to collect the debt, and, any information obtained will be used for that purpose.

QUALITY MAY BE CONSIDERED A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

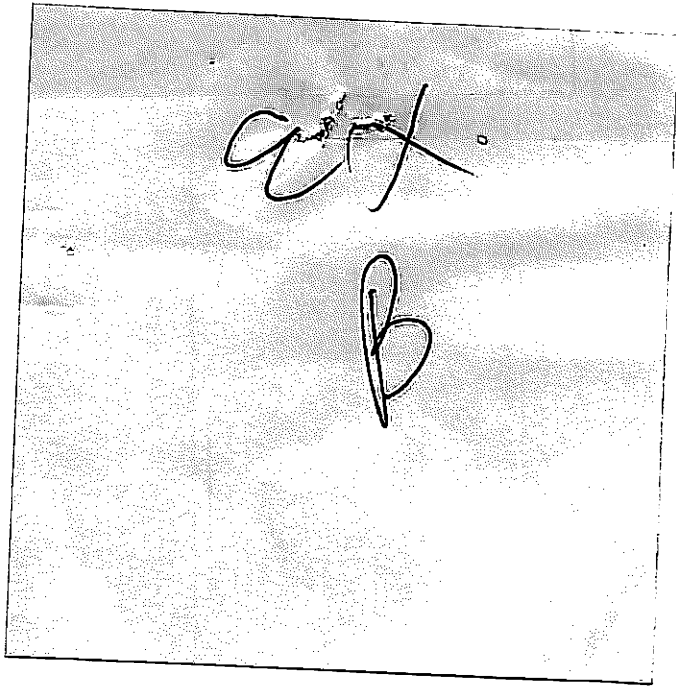


EXHIBIT B

WELLS FARGO HOME MORTGAGE
 RETURN MAIL SERVICES
 PO BOX 10368
 DES MOINES IA 50306-0368



10/16/14



1AB 00700/009097/001345 0041 2 AGS7TELM315 708

CLAUDIA A BARRY
 WARREN L BARRY
 PO BOX 3633
 SAN JOSE, CA 95156-3633

Account Information

Online:	wellsfargo.com
Fax:	1-866-359-7363
Telephone:	1-800-416-1472
Correspondence:	PO Box 10335 Des Moines, IA 50306
Hours of operation:	Mon - Thurs, 7 a.m. - 9 p.m., Fri, 7 a.m. - 8 p.m., Sat, 8 a.m. - 4 p.m., CT
Loan number:	0071979827
Property address:	12340 Clayton Rd San Jose CA 95127

Subject: Call us immediately so we may respond to your request for mortgage assistance

Dear Claudia A Barry & Warren L Barry:

Thank you for sending us your documentation supporting your request for mortgage assistance. We're here to help you, but it's critical that we hear from you immediately to determine what options may be available to you.

Call us - today

Because you are currently in the foreclosure process, you have limited time to receive assistance before a foreclosure sale is scheduled. That's why you must call us immediately. We'll work with you to help prevent foreclosure if we can. If we don't speak with you and receive all required documents before the scheduled foreclosure sale, we may not be able to stop the sale. Investor and state guidelines may require more time.

Before you call, please gather the following information and have it ready when you call. This will help us determine what options may be available to you.

- Monthly gross income (before taxes) for each borrower
- Any additional household income
- Current monthly expenses (be sure to have a list of all expenses, including any taxes and insurance for your home paid outside of your mortgage payment)
- Reason for your financial hardship

What you need to know about foreclosure

Even though we will continue to work with you to help you avoid a foreclosure sale, it's important to understand that your mortgage has already been referred to foreclosure. Also, as part of the foreclosure process, you may receive notices from a third-party attorney delivered by mail, or see steps being taken to proceed with a foreclosure sale of your home.

With this in mind, there isn't much time. In order for us to help you, it's critical that you contact us immediately to discuss your options.

Don't delay - call us right away

WFM307C

LM315 708

009097/001345 AGS7TE S2-ET-M1-C003



7080071979827LM315



Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127

— If we do not hear from you, we will not be able to help you. Please keep in mind that the sooner you
— reach out to us, the more options may be available to you. Call me today at the phone number below.

Sincerely,

John Cimaglia

John Cimaglia
Home Preservation Specialist
Wells Fargo Home Mortgage
Ph: 1-877-311-3581 ext. 38463
Fax: 1-866-590-8910

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Home Mortgage is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Home Mortgage will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please note: this letter is being sent in response to your request for assistance. In order to assist you with this request, we must be able to contact you. Therefore, any previous request to cease communication with you has been waived for these purposes. If this is incorrect, please contact us immediately.

Wells Fargo Home Mortgage is a division of Wells Fargo Bank, N. A. © 2014 Wells Fargo Bank, N. A. All rights reserved. NMLSR ID 399801





Fax: 1-866-278-1179
Telephone: 1-800-416-1472
Correspondence: PO Box 10335
Des Moines, IA 50306
Hours of Operation:
Monday-Friday, 8:00 a.m. to 8:00 p.m. Central Time

October 20, 2014

Loan Number: 0071979827
Property Address: 12340 CLAYTON RD, SAN JOSE, CA 95127-5013

WARREN L. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

CLAUDIA A. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

Subject: Notice Pursuant to Cal. Civ. Code § 2924.9

Dear WARREN L. BARRY, CLAUDIA A. BARRY:

We're writing to let you know that your mortgage is currently in foreclosure. However, you may still have an opportunity to keep your home or prevent foreclosure, even if you previously indicated that you do not wish to stay in your home.

We urge you to avoid foreclosure if possible

Any number of circumstances might have made it difficult for you to make your monthly mortgage payments, such as a job loss, or unexpected expenses. Whatever your current situation, it may still be possible for you to avoid foreclosure.

You still may have time - if you act immediately

We previously sent you a letter informing you about available mortgage assistance options to avoid foreclosure, along with a Customer Information Package for you to complete and return to us to be evaluated for these options. If you did not receive these documents, no longer have them, wish to receive new documents, or if you did not return the required information, please contact the Home Preservation Department immediately at the phone number above for a new package. Please keep in mind that we cannot evaluate you for mortgage assistance options until we receive the completed package.

Don't delay

We are here to help you, but we must hear from you. If you want to keep your home, or if you no longer wish to stay in your home but want to avoid foreclosure, please call the Home Preservation Department today at the phone number above to discuss your options.

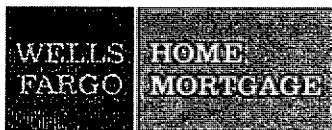
Sincerely,

Wells Fargo Home Mortgage

This communication is an attempt to collect a debt and any information obtained will be used for that purpose. However, if you have received a discharge of this debt in bankruptcy or are currently in a bankruptcy case, this notice is not intended as an attempt to collect a debt, and we have a security interest in the property and will only exercise our rights as against the property.

Page 2 of 2

With respect to those loans secured by property located in the state of California, the state Rosenthal Fair Debt Collection Practices Act and the Federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.



Fax: 1-866-278-1179
Telephone: 1-800-416-1472
Correspondence: PO Box 10335
Des Moines, IA 50306
Hours of Operation:
Monday-Friday, 8:00 a.m. to 8:00 p.m. Central Time

October 20, 2014

Loan Number: 0071979827
Property Address: 12340 CLAYTON RD, SAN JOSE, CA 95127-5013

WARREN L. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

CLAUDIA A. BARRY
12340 CLAYTON RD
SAN JOSE, CA 95127-5013
Original Borrower

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Sincerely,

Wells Fargo Home Mortgage

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Page 2 of 2

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WELLS FARGO HOME MORTGAGE
 RETURN MAIL SERVICES
 PO BOX 10368
 DES MOINES IA 50306-0368



10/21/14



1AT 00710/008646/001431 0036 3 AGS86CHP134 708

CLAUDIA A BARRY
 WARREN L BARRY
 PO BOX 3633
 SAN JOSE, CA 95156-3633

Account Information

Fax: 1-866-359-7363
Telephone: 1-866-234-8271
Correspondence: PO Box 10335
 Des Moines, IA 50306
Hours of operation: Mon - Fri, 6 a.m. - 10 p.m.,
 Sat, 8 a.m. - 2 p.m., CT
Loan number: 0071979827
Property address: 12340 Clayton Rd
 San Jose CA 95127

Subject: Important information about your request for mortgage assistance

Dear Claudia A Barry & Warren L Barry:

I'm writing to let you know we received the documents you sent us to move forward with your request for mortgage assistance. Thank you for providing your information.

What happens next

Now that we've received your documents, our home preservation team will carefully review what you've submitted to determine if you're eligible for mortgage assistance. We'll follow up with you again soon to outline next steps in the process and address any additional documents that might be needed to complete our review.

After we ensure that we have all the documents we need, we will review and validate those materials to determine if you're eligible for a loan modification. Please note, the information in the documents must be the most recent you have available, and can only be used for 90 days from the date we receive them.

- If you're eligible, you will receive a trial period plan with your new payment amount.
- If you meet all requirements of the trial, you will receive a final loan modification agreement adjusting the terms of your mortgage.
- If you're not eligible for a loan modification program, we'll look at other options to help you avoid foreclosure.

As a reminder, it's important for you to continue making your regular mortgage payments until you hear from us.

Important information for you to know

If you have provided the necessary documents for us to begin an application for a first lien loan modification and if an appraisal or other valuation method was required in the underwriting to determine the value of your mortgaged property, you will receive a copy of the Valuation Report(s) considered in connection with your application. A Valuation Report is an analysis of your property which is used to place a value estimate on the property. You will receive the report(s) after completion, in a separate

WFM307C

HP134 708

008646/001431 AGS86C S2-ET-M1-C003



7080071979827HP134

Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127

mailing.

If you have any questions or need further assistance, please contact me at the number listed below.

Sincerely,

John Cimaglia

John Cimaglia
Home Preservation Specialist
Wells Fargo Home Mortgage
Ph: 1-877-311-3581 ext. 38463
Fax: 1-866-590-8910

Contact us

If you'd like to request information, notify us of an error, or share any concerns you may have about the servicing of your loan, please contact us at P.O. Box 10335, Des Moines, IA 50306.

Active Servicemembers

The Servicemembers Civil Relief Act (SCRA) may offer protection or relief to members of the military who have been called to active duty. If either you have been called to active duty, or you are the spouse or financial dependant of a person who has been called to active duty, and you haven't yet made us aware of your status, please contact our Military Customer Service Center at 1-866-936-SCRA (1-866-936-7272) or fax your Active Duty Orders to 1-877-658-4585, attention Special Loans/SCRA.

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Home Mortgage is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Home Mortgage will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Account Information**Loan number:** 0071979827**Property address:** 12340 Clayton Rd
San Jose CA 95127

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Please note: this letter is being sent in response to your request for assistance. In order to assist you with this request, we must be able to contact you. Therefore, any previous request to cease communication with you has been waived for these purposes. If this is incorrect, please contact us immediately.

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October 22, 2014

CLAUDIA BARRY and WARREN BARRY
PO BOX 3633
SAN JOSE, CA 95156

Account Information	
Online:	yourwellsfargomortgage.com
Fax:	1-866-590-8910
Telephone:	877-311-3581 Ext. 38463
Correspondence:	MAC X9999-01N 2701 Wells Fargo Way Minneapolis, MN 55467-8000
Hours of operation:	Monday – Friday, 6:00 a.m. – 10:00 p.m. Saturday 8:00 a.m. – 2:00 p.m. Central Time
Loan number:	0071979827
Property address:	12340 CLAYTON RD SAN JOSE, CA 95127

Subject: Information required from you supporting your request for mortgage assistance.

Dear **CLAUDIA BARRY and WARREN BARRY**:

I'm **John Cimaglia jr**, and as your **Wells Fargo Home Mortgage** home preservation specialist, I'm dedicated to helping you with your request for mortgage assistance. I'll be your single point of contact, and will personally assist you through every step of the process. If you'd like to speak with me at any point, you can reach me at **877-311-3581 Ext. 38463**.

How I'll be assisting you

As the first step in the mortgage assistance process, I'll need to receive specific documentation from you, which is why I'm writing you today. Working closely with you, I'll explore all the options available, taking your situation and financial circumstances into consideration.

Along the way, I will keep you informed and do everything possible to move you through the process quickly. I encourage you to respond promptly to any communications and requests for information. And please understand, if you do not provide information in a timely manner, it could impact your eligibility for mortgage assistance.

How to get started

Please call me right after you receive this package. I'll walk you through all the enclosed materials and help you start the process. In addition, the instructions included in this package will also help you understand what's enclosed and what you need to complete and return so the process can move forward.

It's important for you to act quickly and return the required documents by **November 21, 2014**. That's because the sooner you respond, the more options may be available to help you avoid foreclosure.

I'm here to help you

I look forward to working with you and encourage you to contact me with any questions you may have about the materials in this package. You can reach me at 877-311-3581 Ext. 38463.



Instructions —**What you need to do to start the mortgage assistance process**

Before we can look into the mortgage assistance options available to you, we need you to gather some important information about your financial situation. Be sure to call your home preservation specialist right after you receive this package. He/she will explain all of the enclosures and what's needed to help you start the process. It's also important for you to return the documents requested by the due date by either fax, mail, or electronically through our secure website. And don't delay, because by acting soon, more options may be available to you.

Simply follow the instructions below. We've outlined the materials included in this package, details on the documentation that's required from you, and some hints to help you along the way.

What's in this package

- Homeowner Assistance Form
- IRS Form 4506T-EZ
- Non-Borrower Occupant Certification Form
- Cover sheet for mailing, faxing or electronically returning your completed documents
- Prepaid overnight return envelope

What you need to send us

- **Cover sheet**
Place the enclosed cover sheet on top of all the documentation you return to us, whether you send it in by mail, fax or electronically through our secure website. And if you choose to mail in your documentation, use the enclosed prepaid overnight envelope.
- **Homeowner Assistance Form**
All borrowers must complete, sign and return this document, providing information about your property, income and expenses, and why it's difficult for you to make your current mortgage payments.
- **IRS Form 4506T-EZ Short Form Request for Tax Return Transcript or Tax Returns**
Each borrower who filed an individual tax return must complete, sign and return a separate 4506T-EZ form. Borrowers who filed a joint tax return may complete and return one 4506T-EZ signed by both borrowers or each borrower can return their completed and signed tax returns including all schedules and forms.
- **Documentation to verify all income of each borrower**
Carefully review the "proof of income" section that follows for specific details on the income documentation you need to gather and send us.
- **Any other written explanation or requested information**

To be considered for certain government mortgage assistance programs, you need to complete and submit the following documents:

- **Non-Borrower Occupant Certification Form**
To proceed, we also will need to receive this form completed, signed and dated by any individual at your property address whose income will be included in the review of your mortgage assistance request, but is not on the loan as a borrower.

Required Income Documentation

Below you will find the details on the documentation we'll need from you to verify all income of each borrower. For easy reference, this information is separated into five sections:

1. Gross monthly income
2. Self-employed borrower income/business income
3. Retirement/pension/unemployment and disability income
4. Income from tenants
5. Other income

Please note:

- Income must be documented as required.
- Include combined income and expenses from the borrower and co-borrower (if any).
- If you include income and expenses from a household member who is not a borrower, please provide a written explanation and return to us.
- Additional income documentation may or may not be required.
- If you have other types of income, cannot locate required documents, or have questions about the documentation required, please call your home preservation specialist at the phone number in the enclosed letter.

1. Gross monthly income

For wage earners/salary:

If homeowner(s) are wage earners, the following proof of income, including year-to-date information, must be provided, such as most recent paystubs:

30 days of wages

- If paid weekly — send four paystubs
- If paid biweekly — send three paystubs
- If paid semi-monthly — send two paystubs
- If paid monthly — send two paystubs, except for VA homeowners who must send two months paystubs

If unable to provide paystubs, salary vouchers with the dates of payment must be dated within the last 30 days, including year-to-date information and the borrower's name and/or Social Security Number.

If unable to provide paystubs or salary vouchers, please send a letter from the employer with pay frequency and amount. This letter must be on company letterhead, signed and dated within the last 30 days and include year-to-date information, the borrower's name and/or Social Security Number.

2. Self-employed/business income

- Borrower's complete personal and business tax return for the most recent year with all schedules and forms or completed and signed IRS Form 4506T-EZ.
- Most recent quarterly or year-to-date profit and loss statement that reflects activity for the most recent three months.

3. Retirement, pension, unemployment and disability

- IRA/401k/annuity/Investment income:
- Most recent two month's account statements AND at least ONE of the following:
 - Borrower's most recent year of tax returns (1040) including all schedules or most recent 1099 forms or completed and signed IRS Form 4506T-EZ.
 - Retirement or pension:
 - Award letter for current year unless it states "lifetime" or two months bank statements.
 - Unemployment income and short-term disability income:
 - Award letter within 60 days or two months recent bank statements or cancelled checks.
- Social Security, disability or death benefits, pension, public assistance, or adoption assistance:
 - Documentation showing the amount and frequency of the benefits, such as letters, exhibits, disability policy or benefits statement from the provider, or



- Documentation showing the receipt of payment, such as copies of the two most recent bank statements showing deposit amounts.

4. Income from tenants

- Rental/Boarder income:
 - Copy of the most recent filed federal tax return with all schedules, include Schedule E – Supplemental Income and Loss or completed and signed IRS Form 4506T-EZ; or
 - If rental income is not reported on Schedule E - Supplemental Income and Loss, provide a copy of the current lease agreement with either bank statements or cancelled rent checks demonstrating receipt of rent.
- If Boarder income (e.g., renting a room in the property) also include:
 - Proof of occupancy (i.e., cell phone or utility bill, bank statements or other evidence of occupancy from boarder).

5. Other income

- Alimony, child support, or separation maintenance payments as qualifying income:*
 - Copy of divorce decree, separation agreement, or other written legal agreement filed with a court, or court decree that states the amount of alimony, child support, or separation maintenance payments and the period of time over which the payments will be received, and
 - Copies of your two most recent bank statements or other third-party documents showing receipt of payment.

*Notice: Alimony, child support, or separation maintenance income need not be revealed if you do not choose to have it considered for repaying this loan.
- Non-borrower household income
 - The income of a non-borrower who contributes to the mortgage loan payment and is included in the monthly gross income must be documented and verified using the same standards used for verifying a borrower's income, including a completed and signed IRS Form 4506T-EZ or tax returns including all schedules and forms.
 - Proof of occupancy (i.e., cell phone or utility bill, bank statements or other evidence of occupancy from contributor),
 - Contribution letter stating contributor's name, relationship, frequency, and amount of contribution, signed and dated by contributor.



Helpful hints

- In order to help you, we need to hear from you — so be sure to call your home preservation specialist right after you receive this package. He/she will explain what's needed and help you start the process. It's also important that you send us all the required/completed forms and documents requested by the due date. Keep in mind:
 - All borrowers need to sign and date all documents where required, and include your loan number on all correspondence.
 - Your financial documentation should be current, within the last 30 days.
 - It's best to submit all documents together in one package. Sending documents separately may increase the processing time. Use the cover sheet enclosed. Submit everything either by fax, by mail using the enclosed prepaid overnight envelope or electronically through our secure website.
- Stay in touch with us:
 - After you send in your documents, call your home preservation specialist so he or she can ensure everything was received to get the review process started as soon as possible.
 - Be sure to provide your home preservation specialist with your best contact number. This will help him/her get in touch with you quickly if there are additional requirements.
 - During the process, additional information or documentation may be requested. Timing is important, so be sure you promptly respond to any phone calls or communications.
 - If you have a change in circumstances during the process, please advise your home preservation specialist so we can review your situation appropriately.
 - At any point, if you have any questions, contact your home preservation specialist.

I'm here for you

You can count on me to work with you through every step of the mortgage assistance process. Along the way, if you have any questions, be sure to reach out to me at the telephone number noted in the enclosed letter.



WELLS FARGO HOME MORTGAGE
RETURN MAIL SERVICES
PO BOX 10368
DES MOINES IA 50306-0368



10/23/14



1AT 04606/009238/006226 0034 2 AGS8ESH270 708

CLAUDIA A BARRY
WARREN L BARRY
PO BOX 3633
SAN JOSE, CA 95156-3633

Account Information

Fax: 1-866-278-1179
Telephone: 1-866-234-8271
Correspondence: PO Box 10335
Des Moines, IA 50306
Hours of operation: Mon - Thurs, 7 a.m. - 9 p.m.,
Fri, 7 a.m. - 8 p.m.,
Sat, 8 a.m. - 4 p.m., CT
Loan number: 0071979827
Property address: 12340 Clayton Rd
San Jose CA 95127

Subject: Acknowledging receipt of your documentation supporting your request for mortgage assistance

Dear Claudia A Barry & Warren L Barry:

We're writing to let you know we've received the documentation you sent us supporting your request for mortgage assistance. And thank you for responding to our request.

What happens next

We will review the documentation you've submitted. Please keep in mind, there may be additional documents required before we can determine if you're eligible for mortgage assistance. To find out what additional documents we may need from you:

- Refer to the initial package we sent you listing all required documentation, as well as any subsequent correspondence requesting additional documentation.

→ Go to wellsfargo.com/modification to see what documents we may still need from you. (Please note: For certain loans, online assistance may not be available. If you receive an error message, please call us at 1-800-678-7986.)

What you need to know about foreclosure for the loan noted above

We'll continue to work with you to help you avoid a foreclosure sale. If your loan has not previously been referred to foreclosure and you have submitted all of the required documentation needed to evaluate for an alternative, this loan will not be referred to foreclosure while the application is evaluated. If your loan has been referred to foreclosure and you have submitted all required documentation, we will not conduct a foreclosure sale on this loan while your documents are being reviewed and if allowed by state law and/or investor guidelines.

As part of the foreclosure process, you may receive notices from a third-party attorney delivered by mail or see steps being taken to proceed with a foreclosure sale of your home.

I'm here for you

If you have any questions or need further assistance, please contact us at the phone number listed below.

WFM307C

HP270 708

009238/006226 AGS8ES S2-ET-M1-C002



7080071979827HP270



708

October 24, 2014

CLAUDIA A BARRY
 WARREN L BARRY
 PO BOX 3633
 SAN JOSE, CA 95156-3633

Account Information

Fax: 1-866-590-8910
 Telephone: 1-800-416-1472
 Correspondence: PO Box 10335
 Des Moines, IA 50306
 Hours of operation: Mon-Fri 6am-10pm CT
 Sat 8am-2pm CT
 Loan number: 0071979827
 Property address: 12340 CLAYTON RD
 SAN JOSE, CA 95127-5013

Subject: Important next steps for your loan modification request

Dear CLAUDIA A BARRY and
 WARREN L BARRY:

Thank you for your initial loan modification application. We understand this may be a challenging time for you, and we want to help you through the process as quickly as possible. That's why we're writing you with this important update about your documentation and some important steps you need to take.

We must receive the additional information requested in the table below by January 22, 2015. This will help us better understand your financial situation to determine if you are eligible for a loan modification. Please keep in mind, the sooner you send us the requested documents, the sooner we can look into options that may help you keep your home.

Your important next steps

The table below shows the status of the documents we need from you to complete your loan modification application.

- Pay careful attention to the "Status" and "Your next step" columns. You must send us the documents marked as "received, but incomplete" or "not yet received" by the due date noted.
- Certain documents are only valid for a specific period of time (as noted in the "Document valid until" column). After the valid date noted, we may require and request updated documents from you.

Borrower / Co-borrower Name	Document	Status	Document valid until	Your next step
OTHER CONTRIBUTOR	Pay Stubs	Not yet received	Not Applicable	Please provide a copy of the two most recent pay stubs showing year-to-date earnings.
OTHER CONTRIBUTOR	Proof of Occupancy	Received and complete 10/22/2014	Does Not Expire	None
OTHER CONTRIBUTOR	Contribution Letter	Received and complete 10/22/2014	January 19, 2015	None
OTHER CONTRIBUTOR	Tax Returns	Received and complete 10/22/2014	April 15, 2015	None



Borrower / Co-borrower Name	Document	Status	Document valid until	Your next step
CLAUDIA A BARRY	Financial Worksheet	Received and complete 10/22/2014	January 18, 2015	None
CLAUDIA A BARRY	Tax Returns	Received and complete 10/22/2014	April 15, 2015	None
CLAUDIA A BARRY	Financial Statement (P&L)	Received and complete 10/22/2014	January 29, 2015	None

How to return your documents

Follow the detailed instructions in the "Your next step" column above for each of the required documents. Send us your documents either by fax, electronically, or by mail as follows:

- ☐ **If using the enclosed overnight envelope:** Simply insert the documents, seal the envelope and return it to the shipping location or drop box (we've already attached the shipping label). To find a shipping location near you, call the telephone number listed on the overnight envelope.
- ☐ **If sending by fax:** Use the enclosed fax cover page and be sure to include your telephone number, date and a list of the documents you are faxing.
- ☐ **If sending electronically:** You may be able to send your required documents securely through this website. Go to: wellsfargo.com/modification.

You may also be able to track the status of your request for mortgage assistance online, at wellsfargo.com/modification.

Important notes

- **We may require additional documents**, other than those noted above, before we can decide if you're eligible for a loan modification. If we need more documents, you will receive a letter requesting what we need and the due date.
- **Respond promptly to our communications**, including phone calls and mail. Your quick responses will help us help you through the loan modification process.
- **As a reminder**, it's important to consider contacting the servicers of any other mortgage loans that are secured by this property to discuss other mortgage assistance options that may be available.
- **When you become past due on your mortgage payments**, it's important to understand that the actions you take to correct the situation can affect your credit score. As you look into the different options, you'll find that each may have a negative impact on your credit score, but likely to a different degree. Keep in mind that the degree of impact to your credit score depends on your overall credit circumstances and is different for each individual.

Important information about foreclosure

What you need to know about foreclosure for the loan referenced above, if you have not submitted all the required documentation needed to evaluate your loan

If the foreclosure process has already started it may continue to move forward. Setting a date for the foreclosure sale of your home may occur while we wait for you to return the requested documents to us by the due date noted in this letter. We will not move forward with conducting a foreclosure sale while we wait for you to return the requested documents to us, by the due date noted in this letter.

If the foreclosure process has not yet started, it could begin at any time. You may receive foreclosure-related communications, and the foreclosure could advance according to state-specific time frames.

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What you need to know about foreclosure for the loan referenced above, once you have submitted all the required documentation needed to evaluate your loan

While we review this documentation the foreclosure process will not move forward.

I'm here to help you

Please be sure you send along the documents required by January 22, 2015. If you have any questions, please call me directly at the number listed below, and I'll be happy to help you. Thank you for taking care of this urgent matter.

Sincerely,

JOHN CIMAGLIA
Home Preservation Specialist
Wells Fargo Home Mortgage
1-877-311-3581, Ext. 38463

Contact us

If you'd like to request information, notify us of an error, or share any concerns you may have about the servicing of your loan, please contact us at P.O. Box 10335, Des Moines, IA 50306.

Active Servicemembers

The Servicemembers Civil Relief Act (SCRA) may offer protection or relief to members of the military who have been called to active duty. If either you have been called to active duty, or you are the spouse or financial dependent of a person who has been called to active duty, and you haven't yet made us aware of your status, please contact our Military Customer Service Center at 1-866-936-SCRA (1-866-936-7272) or fax your Active Duty Orders to 1-877-658-4585, attention Special Loans/SCRA.

Get free counseling to help manage expenses and avoid foreclosure

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call 1-800-569-4287. You can also call the HOPE Hotline at 1-888-995-HOPE. (1-888-995-4673)

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Bank, N.A. is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Bank, N.A. will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

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With respect to those loans located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

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WELLS FARGO HOME MORTGAGE
RETURN MAIL SERVICES
PO BOX 10368
DES MOINES IA 50306-0368



10/24/14



1MB 02522/002522/004935 0013 3 AGS8M4HP134 708

CLAUDIA A BARRY
WARREN L BARRY
PO BOX 3633
SAN JOSE, CA 95156-3633

Account Information

Fax: 1-866-359-7363
Telephone: 1-866-234-8271
Correspondence: PO Box 10335
Des Moines, IA 50306
Hours of operation: Mon - Fri, 6 a.m. - 10 p.m.,
Sat, 8 a.m. - 2 p.m., CT
Loan number: 0071979827
Property address: 12340 Clayton Rd
San Jose CA 95127

Subject: Important information about your request for mortgage assistance

Dear Claudia A Barry & Warren L Barry:

I'm writing to let you know we received the documents you sent us to move forward with your request for mortgage assistance. Thank you for providing your information.

What happens next

Now that we've received your documents, our home preservation team will carefully review what you've submitted to determine if you're eligible for mortgage assistance. We'll follow up with you again soon to outline next steps in the process and address any additional documents that might be needed to complete our review.

After we ensure that we have all the documents we need, we will review and validate those materials to determine if you're eligible for a loan modification. Please note, the information in the documents must be the most recent you have available, and can only be used for 90 days from the date we receive them.

- If you're eligible, you will receive a trial period plan with your new payment amount.
- If you meet all requirements of the trial, you will receive a final loan modification agreement adjusting the terms of your mortgage.
- If you're not eligible for a loan modification program, we'll look at other options to help you avoid foreclosure.

As a reminder, it's important for you to continue making your regular mortgage payments until you hear from us.

Important information for you to know

If you have provided the necessary documents for us to begin an application for a first lien loan modification and if an appraisal or other valuation method was required in the underwriting to determine the value of your mortgaged property, you will receive a copy of the Valuation Report(s) considered in connection with your application. A Valuation Report is an analysis of your property which is used to place a value estimate on the property. You will receive the report(s) after completion, in a separate

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HP134 708

002522/004935 AGS8M4 S2-ET-M1-C001



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Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127

mailing.

If you have any questions or need further assistance, please contact me at the number listed below.

Sincerely,

John Cimaglia

John Cimaglia
Home Preservation Specialist
Wells Fargo Home Mortgage
Ph: 1-877-311-3581 ext. 38463
Fax: 1-866-590-8910

Contact us

If you'd like to request information, notify us of an error, or share any concerns you may have about the servicing of your loan, please contact us at P.O. Box 10335, Des Moines, IA 50306.

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Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Home Mortgage is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Home Mortgage will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.



Account Information**Loan number:** 0071979827**Property address:** 12340 Clayton Rd
San Jose CA 95127

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Please note: this letter is being sent in response to your request for assistance. In order to assist you with this request, we must be able to contact you. Therefore, any previous request to cease communication with you has been waived for these purposes. If this is incorrect, please contact us immediately.

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WELLS FARGO HOME MORTGAGE
RETURN MAIL SERVICES
PO BOX 10368
DES MOINES IA 50306-0368



11/28/14



2SP 00035/000314/000205 0001 6 ACSC6GHP601 708

CLAUDIA BARRY
WARREN BARRY
PO BOX 3633
SAN JOSE, CA 95156-3633

Account Information

Fax: 1-866-590-8910
Telephone: 1-800-416-1472
Correspondence: PO Box 10335
Des Moines, IA 50306
Hours of operation: Mon - Thurs, 7 a.m. - 9 p.m.,
Fri, 7 a.m. - 8 p.m.,
Sat, 8 a.m. - 4 p.m., CT
Loan number: 0071979827
Property address: 12340 CLAYTON RD
SAN JOSE CA, 95127

Subject: Your request for assistance

Note: We service your mortgage on behalf of your investor, Wells Fargo Bank, N.A..

Dear CLAUDIA BARRY & WARREN BARRY:

We're responding to your request for assistance and the options that may be available to help you. We realize that the process can take some time, and we appreciate your patience while we review your options.

Here's what we found

We carefully reviewed the information you provided us, which includes a process that compares your information to the qualifications for assistance associated with your loan. Here is the result of that review.

Program name: Principal Forgiveness Modification

Program description: For qualified customers, the principal forgiveness modification is designed to help financially struggling homeowners avoid foreclosure by modifying loan terms, including reduction of the principal balance, to a level that is affordable for customers now and sustainable over the long term.

At this time, you do not meet the requirements of this program because:

We are unable to modify your mortgage based on the results of your net present value (NPV) evaluation. For more information on NPV, please see the information below.

Program name: Proprietary Step Rate Program

Program description: A proprietary step rate modification is a home preservation option that modifies the original loan terms to temporarily lower the monthly payment over a specified period of time. If the modification of the loan terms include reduction of the interest rate, the rate will gradually increase over a specified period of time.

At this time, you do not meet the requirements of this program because:

We are unable to modify your mortgage based on the results of your net present value (NPV) evaluation. For more information on NPV, please see the information below.



WFM307C

HP601 708

000314/000205 ACSC6G S1-E6-M1-C001



7080071979827HP601

Account Information	
Loan Number:	0071979827
Property Address:	12340 CLAYTON RD SAN JOSE CA, 95127

Once we determined that you did not meet the requirements for a particular program, we did not continue to evaluate that program based on other criteria related to your loan type or information you may have supplied. Instead we moved to evaluate you for the next available program based on your information and the qualifications associated with your loan.

What is NPV?

NPV compares the outcome if your loan is modified to the outcome if your loan is not modified, in order to calculate its value. We use information provided by you and obtained from your loan file to complete your NPV evaluation. If the comparison is positive, your modification can be approved. If the comparison is negative, your modification cannot be approved.

In this case, your mortgage cannot be modified for some programs based on the results of your NPV evaluation. Below you will find your monthly gross income and property value used to calculate your NPV on 11/25/2014.

Monthly Gross Income: \$15,610.00

Property Value: \$1,640,000.00

If the loan referenced above is a first lien on a property located in the state of California, and you occupy the property as your primary residence you can receive a complete list of the NPV information we use in your evaluation. Contact us in writing with your request.

Please fax your request to 1-866-359-7363 or mail to:
Wells Fargo Home Mortgage
1000 Blue Gentian
Suite 300 MAC X9999-01N
Eagan, MN 55121

You have the right to appeal this decision

Carefully read over this letter, which states Wells Fargo's decision. If you believe the decision is incorrect and want to appeal the decision, you may submit your appeal request in writing or by phone.

If you choose to submit your appeal request in writing, we have enclosed an Appeal Request Form for your convenience. Or you can write a letter of your own that explains the reason you disagree with the decision.

You can initiate an appeal in one of three ways:

1. Fax your appeal request to 1-866-590-8910.
2. Mail your appeal request to:
1000 Blue Gentian Road,
Suite 300 MAC X9999-01N,
Eagan, MN 55121
3. Call 1-877-816-4914 and follow the prompts.

If you choose to submit your appeal request in writing, by fax or mail -- using the enclosed form or a



Account Information

Loan Number: 0071979827

Property Address: 12340 CLAYTON RD
SAN JOSE CA, 95127

letter of your own -- please specify which of these two options applies to you:

Option A. I want to appeal the decision I received. I have enclosed additional information for your consideration, and/or I have no further information to provide. I understand Wells Fargo will review the decision immediately based on the additional information I have provided (if applicable), or on the information they currently have.

Option B. I will be appealing the decision I received. I will submit additional information for your consideration at a later time. I understand that if Wells Fargo does not receive my additional information within 30 calendar days from the date of this letter, Wells Fargo will immediately move forward with a review of the decision.

Appeal request guidelines:

- If you do not specify your intention for providing additional information, by selecting one of the two options above, we will follow the process described in Option B.
- If you are disputing the value of your property used in the decision, you must indicate the specific value you believe is more accurate.
- We must receive your appeal request, with any additional information (as applicable) within 30 calendar days from the date of this letter.
- After an appeal is initiated, if you selected Option B and we do not receive your additional information within 30 calendar days from the date of this letter, we will review the decision based on the information we have at that time.
- You may have recently received a separate communication regarding another review we completed. Our decision regarding that review may also be appealable, subject to the timelines and guidelines here.
- Be sure to include your loan number on your appeal request and any additional information.
- If you choose to initiate your request by phone, make sure to have your loan number available and follow the phone prompts carefully.

Please note

After we receive your appeal request, you will receive a letter that confirms receipt of your request and outlines next steps in the appeal process. As your home preservation specialist, I remain available to assist you with any questions you may have about this letter, but you must initiate an appeal request in one of the three ways listed above.

Talk to me about your other options

There may be other options available to help you avoid a foreclosure sale, provided you meet the requirements.

If the amount you owe on your mortgage is higher than what you think you can sell your house for, you may want to consider what is known as a "short sale." This option could allow you to list your home for sale, for an amount that is less than you owe.

During the short sale process, you'll need to submit documentation to us that we will evaluate. For example, a short sale requires a purchase contract. Once we receive a purchase contract Wells Fargo will review the terms of the contract and obtain the appraised value of the property.



Account Information

Loan Number: 0071979827

Property Address: 12340 CLAYTON RD
SAN JOSE CA, 95127

If you are interested in a short sale, contact me right away. I can help explain the short sale process, guidelines and your eligibility.

If you are unable to sell your home or find a short sale is not the right alternative to foreclosure for you, another option to consider might be a deed in lieu of foreclosure, sometimes referred to as a Mortgage Release. If you are interested in a deed in lieu of foreclosure, please contact me right away so we can determine your eligibility and coordinate an appraisal and inspection of your property.

Keep in mind, if you accept a deed in lieu of foreclosure, you must agree to vacate the property within an agreed upon time.

We're here for you

If you have any questions about the information in this letter please call me at the phone number listed below.

Sincerely,

JOHN CIMAGLIA

JOHN CIMAGLIA
Home Preservation Specialist
Wells Fargo Home Mortgage
Ph: 1-877-311-3581 ext. 38463
Fax: 1-866-590-8910

Contact us

If you'd like to request information, notify us of an error, or share any concerns you may have about the servicing of your loan, please contact us at P.O. Box 10335, Des Moines, IA 50306.

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call HOPE Hotline at 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Bank N.A. is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Bank N.A. will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the



Account Information**Loan Number:** 0071979827**Property Address:** 12340 CLAYTON RD
SAN JOSE CA, 95127

federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is Bureau of Consumer Financial Protection, 1700 G Street NW., Washington DC 20006.

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WELLS FARGO HOME MORTGAGE
RETURN MAIL SERVICES
PO BOX 10368
DES MOINES IA 50306-0368



11/28/14



2SP 00267/000267/001213 0003 5 ACSC6GHP602 708

CLAUDIA BARRY
WARREN BARRY
PO BOX 3633
SAN JOSE, CA 95156-3633

Account Information

Fax: 1-866-590-8910
Telephone: 1-800-416-1472
Correspondence: PO Box 10335
Des Moines, IA 50306
Hours of operation: Mon - Thurs, 7 a.m. - 9 p.m.,
Fri, 7 a.m. - 8 p.m.,
Sat, 8 a.m. - 4 p.m., CT
Loan number: 0071979827
Property address: 12340 CLAYTON RD
SAN JOSE CA, 95127

Subject: Your request for assistance

Note: We service your mortgage on behalf of your investor, Wells Fargo Bank, N.A..

Dear CLAUDIA BARRY & WARREN BARRY:

We're responding to your request for assistance and the options that may be available to help you. We realize that the process can take some time, and we appreciate your patience while we review your options.

Decision on the federal government's Home Affordable Modification Program (HAMP)

We carefully reviewed the information you sent us. At this time, you do not meet the requirements of HAMP because:

The current unpaid principal balance on your loan is higher than the program limit (\$729,750 for a one unit property, \$934,200 for a two unit property, \$1,129,250 for a three unit property, and \$1,403,400 for a four unit property).

You have the right to appeal this decision

Carefully read over this letter, which states Wells Fargo's decision. If you believe the decision is incorrect and want to appeal the decision, you may submit your appeal request in writing or by phone.

If you choose to submit your appeal request in writing, we have enclosed an Appeal Request Form for your convenience. Or you can write a letter of your own that explains the reason you disagree with the decision.

You can initiate an appeal in one of three ways:

1. Fax your appeal request to 1-866-590-8910.

2. Mail your appeal request to:

1000 Blue Gentian Road,
Suite 300 MAC X9999-01N,
Eagan, MN 55121



WFM307C

HP602 708

000267/001213 ACSC6G S1-ET-M1-C001

7080071979827HP602

Account Information	
Loan Number:	0071979827
Property Address:	12340 CLAYTON RD SAN JOSE CA, 95127

3. Call 1-877-816-4914 and follow the prompts.

If you choose to submit your appeal request in writing, by fax or mail -- using the enclosed form or a letter of your own -- please specify which of these two options applies to you:

Option A. I want to appeal the decision I received. I have enclosed additional information for your consideration, and/or I have no further information to provide. I understand Wells Fargo will review the decision immediately based on the additional information I have provided (if applicable), or on the information they currently have.

Option B. I will be appealing the decision I received. I will submit additional information for your consideration at a later time. I understand that if Wells Fargo does not receive my additional information within 30 calendar days from the date of this letter, Wells Fargo will immediately move forward with a review of the decision.

Appeal request guidelines:

- If you do not specify your intention for providing additional information, by selecting one of the two options above, we will follow the process described in Option B.
- If you are disputing the value of your property used in the decision, you must indicate the specific value you believe is more accurate.
- We must receive your appeal request, with any additional information (as applicable) within 30 calendar days from the date of this letter.
- After an appeal is initiated, if you selected Option B and we do not receive your additional information within 30 calendar days from the date of this letter, we will review the decision based on the information we have at that time.
- You may have recently received a separate communication regarding another review we completed. Our decision regarding that review may also be appealable, subject to the timelines and guidelines here.
- Be sure to include your loan number on your appeal request and any additional information.
- If you choose to initiate your request by phone, make sure to have your loan number available and follow the phone prompts carefully.

Please note

After we receive your appeal request, you will receive a letter that confirms receipt of your request and outlines next steps in the appeal process. As your home preservation specialist, I remain available to assist you with any questions you may have about this letter, but you must initiate an appeal request in one of the three ways listed above.

Talk to me about your other options

There may be other options available to help you avoid a foreclosure sale, provided you meet the requirements.

If you're interested in staying in your home, you may be eligible for help through a different assistance program. If you are eligible for an alternative assistance option, we will review your information and we will notify you separately of the result of that review.



Account Information

Loan Number: 0071979827
Property Address: 12340 CLAYTON RD
SAN JOSE CA, 95127

Other options you may be interested in: If the amount you owe on your mortgage is higher than what you think you can sell your house for, you may want to consider what is known as a "short sale." This option could allow you to list your home for sale, for an amount that is less than you owe.

During the short sale process, you'll need to submit documentation to us that we will evaluate. For example, a short sale requires a purchase contract. Once we receive a purchase contract Wells Fargo will review the terms of the contract and obtain the appraised value of the property.

If you are interested in a short sale, contact me right away. I can help explain the short sale process, guidelines and your eligibility.

If you are unable to sell your home or find a short sale is not the right alternative to foreclosure for you, another option to consider might be a deed in lieu of foreclosure, sometimes referred to as a Mortgage Release. If you are interested in a deed in lieu of foreclosure, please contact me right away so we can determine your eligibility and coordinate an appraisal and inspection of your property.

Keep in mind, if you accept a deed in lieu of foreclosure, you must agree to vacate the property within an agreed upon time.

We're here for you

I am available to help you and can be reached at the phone number listed below or by email at HAMPNonApprovallnquiry@wellsfargo.com. Please note: sending your documents via email is not a secure method of transmitting information.

Sincerely,

John Cimaglia jr

John Cimaglia jr
Home Preservation Specialist
Wells Fargo Home Mortgage
Ph: 1-8773113581 ext. 38463
Fax: 1-866-590-8910

Contact us

If you'd like to request information, notify us of an error, or share any concerns you may have about the servicing of your loan, please contact us at P.O. Box 10335, Des Moines, IA 50306.



Account Information

Loan Number: 0071979827
Property Address: 12340 CLAYTON RD
SAN JOSE CA, 95127

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call HOPE Hotline at 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Bank N.A. is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Bank N.A. will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is Bureau of Consumer Financial Protection, 1700 G Street NW., Washington DC 20006.

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Appeal Request Form

Carefully read over the letter that came with this form, which states Wells Fargo's decision. If you believe our decision is incorrect and want to appeal the decision, we recommend you use this form to submit a written appeal.

Important:

- We must receive your written request for an appeal or a phone-initiated appeal request within 30 days from the date of this letter, or we will not move forward with a review of the decision. While not required, please provide any additional information (as applicable) that will help us look into your request.
- If you are disputing the value of your property used in the decision, you must indicate the specific value you believe is more accurate in your explanation below.

Please explain the reason you disagree with the decision.

In contract with 704/706 N. 11th Street. Purchase amount 600K
Loan amount 342,810.00. This will close in 2014 or
sooner. Enclosed is a ratified contract & net sheet. This will
reduce our NPV value. This will allow us to qualify for this
program.

Select and check the box that best applies to your request:

☒ Option A. I want to appeal the decision I received. I have enclosed additional information for your consideration, and/or I have no further information to provide. I understand Wells Fargo will review the decision immediately based on the additional information I have provided (if applicable), or on the information they currently have.

☐ Option B. I will be appealing the decision I received. I will submit additional information for your consideration at a later time. I understand that if Wells Fargo does not receive my additional information within 30 days from the date of this letter, Wells Fargo will immediately move forward with a review of the decision.

Please note: If you do not specify your intention for providing additional information by selecting one of the two options above, Wells Fargo will follow the process described in Option B.

Be sure to include your loan number on any supporting documents.

CLAUDIA BARRY & WARREN BARRY
0071979827

Primary contact phone number: 408483-0669

Other contact phone numbers:

Best day and time to call: 930 am Pacific time

Mail your appeal request to:

1000 Blue Gentian Road
Suite 300 MAC X9999-01N
Eagan, MN 55121

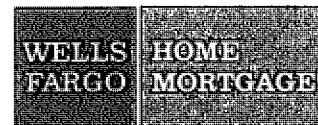
Or fax your appeal request to:

1-866-590-8910



7080071979827HP602

WELLS FARGO HOME MORTGAGE
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PO BOX 10368
DES MOINES IA 50306-0368



12/29/14



1MB 02587/002587/005346 0012 2 AGSG6PHP555 708

CLAUDIA A BARRY
WARREN L BARRY
PO BOX 3633
SAN JOSE, CA 95156-3633

Account Information

Fax: 1-866-590-8910
Telephone: 1-800-416-1472
Correspondence: PO Box 10335
Des Moines, IA 50306
Hours of operation: Mon - Thurs, 7 a.m. - 9 p.m.,
Fri, 7 a.m. - 8 p.m.,
Sat, 8 a.m. - 4 p.m., CT
Loan number: 0071979827
Property address: 12340 Clayton Rd
San Jose CA 95127

Subject: Receipt of your appeal request and next steps

Dear Claudia A Barry & Warren L Barry:

We have received your request to appeal the decision we made about your mortgage loan and additional information (if applicable) to help us look into your request.

What happens next

Your appeal request has been sent to our underwriting team for a review of the decision, because you specified you have no further information to provide for our consideration.

If your appeal request is based on a disputed value of your home, it may be necessary to order a new appraisal of your property. I will let you know if a new appraisal is necessary. Please understand you will be responsible for the cost of a new appraisal if it is required, even if it doesn't change the outcome of the decision. We will collect a \$200 deposit toward the cost of the appraisal and if the actual cost of the appraisal is greater than \$200, the remaining cost will be added to your loan principal balance.

When the review is complete you will receive a written notification about the outcome of the appeal and information about options that may be available to you.

We're here for you

If you have any questions about the information in this letter or the appeal process, please call the phone number below.

Sincerely,

Carrie Spargo

Carrie Spargo
Home Preservation Specialist
Wells Fargo Home Mortgage
Ph: 1-866-409-0600 ext. 39367

WFM307C

HP555 708

002587/005346 AGSG6P S2-ET-M1-C001



7080071979827HP555

Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127

Fax: 1-866-590-8910

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Home Mortgage is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Home Mortgage will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

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7080071979827HP555

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 PO BOX 10368
 DES MOINES IA 50306-0368



04/23/15



1AB 03689/008410/006466 0037 2 AGSWMXLM315 708

CLAUDIA A BARRY
 WARREN L BARRY
 PO BOX 3633
 SAN JOSE, CA 95156-3633

Account Information

Online: wells Fargo.com
 Fax: 1-866-359-7363
 Telephone: 1-800-416-1472
 Correspondence: PO Box 10335
 Des Moines, IA 50306
 Hours of operation: Mon - Thurs, 7 a.m. - 9 p.m.,
 Fri, 7 a.m. - 8 p.m.,
 Sat, 8 a.m. - 4 p.m., CT
 Loan number: 0071979827
 Property address: 12340 Clayton Rd
 San Jose CA 95127

Subject: Call us immediately so we may respond to your request for mortgage assistance

Dear Claudia A Barry & Warren L Barry:

Thank you for sending us your documentation supporting your request for mortgage assistance. We're here to help you, but it's critical that we hear from you immediately to determine what options may be available to you.

Call us - today

Because you are currently in the foreclosure process, you have limited time to receive assistance before a foreclosure sale is scheduled. That's why you must call us immediately. We'll work with you to help prevent foreclosure if we can. If we don't speak with you and receive all required documents before the scheduled foreclosure sale, we may not be able to stop the sale. Investor and state guidelines may require more time.

Before you call, please gather the following information and have it ready when you call. This will help us determine what options may be available to you.

- Monthly gross income (before taxes) for each borrower
- Any additional household income
- Current monthly expenses (be sure to have a list of all expenses, including any taxes and insurance for your home paid outside of your mortgage payment)
- Reason for your financial hardship

What you need to know about foreclosure

Even though we will continue to work with you to help you avoid a foreclosure sale, it's important to understand that your mortgage has already been referred to foreclosure. Also, as part of the foreclosure process, you may receive notices from a third-party attorney delivered by mail, or see steps being taken to proceed with a foreclosure sale of your home.

With this in mind, there isn't much time. In order for us to help you, it's critical that you contact us immediately to discuss your options.

Don't delay - call us right away

WFM307C

LM315 708
 008410/006466 AGSWMX S2-ET-M1-C002



7080071979827LM315



Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127

— If we do not hear from you, we will not be able to help you. Please keep in mind that the sooner you
— reach out to us, the more options may be available to you. Call me today at the phone number below.

Sincerely,

Carrie Spargo

Carrie Spargo
Home Preservation Specialist
Wells Fargo Home Mortgage
Ph: 1-866-409-0600 ext. 39367
Fax: 1-866-590-8910

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

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With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please note: this letter is being sent in response to your request for assistance. In order to assist you with this request, we must be able to contact you. Therefore, any previous request to cease communication with you has been waived for these purposes. If this is incorrect, please contact us immediately.

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WELLS FARGO HOME MORTGAGE
RETURN MAIL SERVICES
PO BOX 10368
DES MOINES IA 50306-0368



04/27/15



1AB 00646/008736/001299 0038 1 AGSX4HHP005 708

CLAUDIA A BARRY
WARREN L BARRY
PO BOX 3633
SAN JOSE, CA 95156-3633

Account Information

Online: wells Fargo.com
Fax: 1-866-278-1179
Telephone: 1-800-678-7986
Correspondence: PO Box 10335
Des Moines, IA 50306
Hours of operation: Mon - Fri, 7 a.m. - 10 p.m.;
Sat, 8 a.m. - 5 p.m.;
Sun, 12 p.m. - 5 p.m., CT
Loan number: 0071979827
Property address: 12340 Clayton Rd
San Jose CA 95127

Subject: Your request for assistance

Dear Claudia A Barry & Warren L Barry:

We're responding to your recent request for assistance. At this time, we are not moving forward with an evaluation of your current situation.

We have reviewed your mortgage account in the past. Based on that review and the recent information you have provided to us, we have determined there has not been a sufficient enough change in your circumstances for us to conduct another review.

Helpful information about foreclosure

If the foreclosure process has not yet started, it could begin at any time. You may receive foreclosure-related communications, and the foreclosure could advance according to state-specific time frames.

We're here for you

If you have any questions about the information in this letter, please call us at 1-800-678-7986.

Home Preservation Department
Wells Fargo Home Mortgage

WFM307C

HP005 708
008736/001299 AGSX4H S2-ET-M1-C003



7080071979827HP005

WELLS FARGO HOME MORTGAGE
 RETURN MAIL SERVICES
 PO BOX 10368
 DES MOINES IA 50306-0368



06/29/15



1MB 00750/000750/002021 0005 2 ACT51HLM314 708

CLAUDIA A BARRY
 WARREN L BARRY
 PO BOX 3633
 SAN JOSE, CA 95156-3633

Account Information

Online: wells Fargo.com
 Fax: 1-866-359-7363
 Telephone: 1-800-416-1472
 Correspondence: PO Box 10335
 Des Moines, IA 50306
 Hours of operation: Mon - Thurs, 7 a.m. - 9 p.m.,
 Fri, 7 a.m. - 8 p.m.,
 Sat, 8 a.m. - 4 p.m., CT
 Loan number: 0071979827
 Property address: 12340 Clayton Rd
 San Jose CA 95127

Subject: Call us immediately so we may respond to your request for mortgage assistance

Dear Claudia A Barry & Warren L Barry:

Thank you for sending us your documentation supporting your request for mortgage assistance. We're here to help you, but it's critical that we hear from you immediately to determine what options may be available to you.

Call us - today

Because you are currently in the foreclosure process, you have limited time to receive assistance before a foreclosure sale is held. That's why you must call us immediately. We'll work with you to help prevent foreclosure if we can. If we don't speak with you and receive all required documents before the scheduled foreclosure sale, we may not be able to stop the sale. Investor and state guidelines may require more time.

Before you call please gather the following information and have it ready when you call. This will help us determine what options may be available to you.

- Monthly gross income (before taxes) for each borrower
- Any additional household income
- Current monthly expenses (be sure to have a list of all expenses, including any taxes and insurance for your home paid outside of your mortgage payment)
- Reason for your financial hardship

What you need to know about foreclosure

Even though we will continue to work with you to help you avoid a foreclosure sale, it's important to understand that the foreclosure process moves forward at the same time. Also, as part of the foreclosure process, you may receive notices from a third-party attorney delivered by mail, or see steps being taken to proceed with a foreclosure sale of your home.

Since your mortgage has already been referred to foreclosure, that process will move forward. Currently, our records indicate that a foreclosure sale date has been scheduled on your home. It is important for you to contact the foreclosure attorney to confirm the sale date. If you have questions about how to contact the foreclosure attorney, please call us.



WFM307C

LM314 708

000750/000750/002021 ACT51H S1-FT.M1-C001



7080071979827LM314

Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127

Don't delay - call us right away

If we do not hear from you, we will not be able to help you. Please keep in mind that the sooner you reach out to us, the more options may be available to you. Call me today at the phone number below.

Sincerely,

Carrie Spargo

Carrie Spargo

Home Preservation Specialist

Wells Fargo Home Mortgage

Ph: 1-866-409-0600 ext. 39367

Fax: 1-866-590-8910

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Home Mortgage is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Home Mortgage will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

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WELLS FARGO HOME MORTGAGE
 RETURN MAIL SERVICES
 PO BOX 10368
 DES MOINES IA 50306-0368



06/29/15



1MB 00750/000750/002021 0005 2 ACT51HLM314 708

CLAUDIA A BARRY
 WARREN L BARRY
 PO BOX 3633
 SAN JOSE, CA 95156-3633

Account Information

Online:	wellsfargo.com
Fax:	1-866-359-7363
Telephone:	1-800-416-1472
Correspondence:	PO Box 10335 Des Moines, IA 50306
Hours of operation:	Mon - Thurs, 7 a.m. - 9 p.m., Fri, 7 a.m. - 8 p.m., Sat, 8 a.m. - 4 p.m., CT
Loan number:	0071979827
Property address:	12340 Clayton Rd San Jose CA 95127

Subject: Call us immediately so we may respond to your request for mortgage assistance

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Call us - today

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- Monthly gross income (before taxes) for each borrower
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- Current monthly expenses (be sure to have a list of all expenses, including any taxes and insurance for your home paid outside of your mortgage payment)
- Reason for your financial hardship

What you need to know about foreclosure

Even though we will continue to work with you to help you avoid a foreclosure sale, it's important to understand that the foreclosure process moves forward at the same time. Also, as part of the foreclosure process, you may receive notices from a third-party attorney delivered by mail, or see steps being taken to proceed with a foreclosure sale of your home.

Since your mortgage has already been referred to foreclosure, that process will move forward. Currently, our records indicate that a foreclosure sale date has been scheduled on your home. It is important for you to contact the foreclosure attorney to confirm the sale date. If you have questions about how to contact the foreclosure attorney, please call us.



WFM307C

LM314 708
 000750/002021 ACT51H S1-ET-M1-C001



7080071979827LM314

Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127**Don't delay - call us right away**

If we do not hear from you, we will not be able to help you. Please keep in mind that the sooner you reach out to us, the more options may be available to you. Call me today at the phone number below.

Sincerely,

Carrie Spargo

Carrie Spargo

Home Preservation Specialist

Wells Fargo Home Mortgage

Ph: 1-866-409-0600 ext. 39367

Fax: 1-866-590-8910

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

Wells Fargo Home Mortgage is required by the Fair Debt Collection Practices Act to inform you that, as your account servicer, we are attempting to collect a debt, and any information obtained will be used for that purpose. However, if you have received a discharge from bankruptcy, and the account was not reaffirmed in the bankruptcy case, Wells Fargo Home Mortgage will only exercise its rights against the property and is not attempting any act to collect the discharged debt from you personally.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

We may report information about your account to credit reporting agencies. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

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WELLS FARGO HOME MORTGAGE
 RETURN MAIL SERVICES
 PO BOX 10368
 DES MOINES IA 50306-0368



07/20/15



1MB 03044/003044/006057 0015 2 AGT7J8 HP001 708

CLAUDIA A BARRY
 WARREN L BARRY
 PO BOX 3633
 SAN JOSE, CA 95156-3633

Account Information

Online:	wellsfargo.com
Fax:	1-866-359-7363
Telephone:	1-800-416-1472
Correspondence:	PO Box 10335 Des Moines, IA 50306
Hours of operation:	Mon - Thurs, 7 a.m. - 9 p.m., Fri, 7 a.m. - 8 p.m., Sat, 8 a.m. - 4 p.m., CT
Loan number:	0071979827
Property address:	12340 Clayton Rd San Jose CA 95127

Subject: Your request for assistance

Dear Claudia A Barry & Warren L Barry:

We're responding to your request for assistance and the options that may be available to help you. We realize that the process can take some time, and we appreciate your patience while we review your options.

Here's what we found

We carefully reviewed the information you provided us and we explored your assistance options. At this time, you do not meet the requirements of a short sale because:

We have not received a purchase agreement on your property.

Next steps

Even if a short sale or deed in lieu of foreclosure, sometimes referred to as Mortgage Release, is not an option for you now, it may be in the future. If your circumstances change, please contact me immediately. I can help you back through the process and determine whether your change in circumstances has enabled you to qualify for a short sale or deed in lieu of foreclosure.

What you need to know about foreclosure

If your mortgage has been or will be referred to foreclosure, that process may move forward now. Also, as part of the foreclosure process, you may see steps being taken in proceedings or receive notices from a third-party attorney delivered by mail.

We're here for you

If you have any questions about the information in this letter please call me at the phone number listed below.

Sincerely,




WFM307C

HP001 708

003044/006057 AGT7J8 S2-ET-M1-C001

7080071979827HP001

Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127
Carrie Spargo

Carrie Spargo
Home Preservation Specialist
Wells Fargo Home Mortgage
Ph: 1-866-409-0600 ext. 39367
Fax: 1-866-590-8910

Contact us

If you'd like to request information, notify us of an error, or share any concerns you may have about the servicing of your loan, please contact us at P.O. Box 10335, Des Moines, IA 50306.

Get free counseling to help manage expenses and avoid foreclosure.

Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call **1-800-569-4287** (TDD 1-800-877-8339). You can also call the HOPE hotline 1-888-995-HOPE (4673).

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The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is Bureau of Consumer Financial Protection, 1700 G Street NW., Washington DC 20006.

Wells Fargo Home Mortgage cannot dispense tax or legal advice. Please consult a tax advisor and/or attorney regarding any consequences associated with a deed-in-lieu, sometimes referred to as a Mortgage Release.

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WELLS FARGO HOME MORTGAGE
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 PO BOX 10368
 DES MOINES IA 50306-0368



09/02/15



1MB 03238/003238/007787 0016 2 AGTBYVBK916 708

CLAUDIA A BARRY
 WARREN L BARRY
 PO BOX 3633
 SAN JOSE, CA 95156-3633

Account Information

Online:	wellsfargo.com
Fax:	1-866-590-8910
Telephone:	1-800-416-1472
Correspondence:	PO Box 10335 Des Moines, IA 50306
Hours of operation:	Mon - Fri, 8 a.m. - 5 p.m., CT
Loan number:	0071979827
Property address:	12340 Clayton Rd San Jose CA 95127

Subject: Future contact information for your records

Dear Claudia A Barry & Warren L Barry:

My name is Jerrica Marshall. I am a Wells Fargo Home Mortgage home preservation bankruptcy specialist assigned to be your single point of contact. If you require mortgage assistance in the future, please contact me at the number below.

Please hold onto this letter with my contact information. During the course of the bankruptcy case, as your single point of contact, if you have a change in circumstances or if you need mortgage assistance, simply call the phone number in the account information section at the top of this letter.

Sincerely,

Jerrica Marshall

Jerrica Marshall
 Home Preservation Specialist
 Wells Fargo Home Mortgage
 Ph: 1-855-344-0720 ext. 31145
 Fax: 1-866-590-8910

Where appropriate Wells Fargo Home Mortgage is required to inform you that, as your account servicer, we are attempting to collect a debt and any information obtained will be used for that purpose.

With respect to those accounts secured by property located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

Please note: this letter is being sent in response to your request for assistance. In order to assist you with this request, we must be able to contact you. Therefore, any previous request to cease communication with you has been waived for these purposes. If this is incorrect, please contact us

WFM307C

BK916 708
 003238/007787 AGTBYV S2-ET-M1-C001



7080071979827BK916



Account Information

Loan number: 0071979827

Property address: 12340 Clayton Rd
San Jose CA 95127

immediately.

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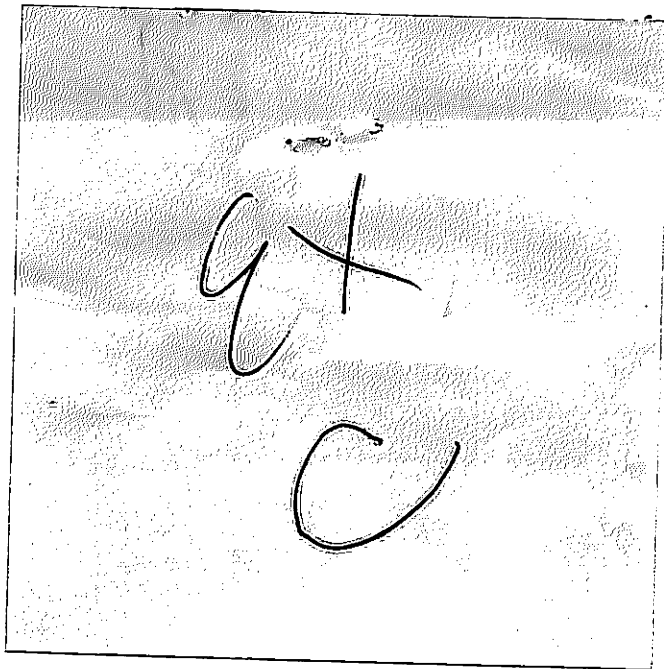


EXHIBIT C



Wells Fargo
P.O. Box 10335
Des Moines, IA 50306-0335

July 07, 2015

Claudia A. Barry
Warren L. Barry
P.O. Box 3633
San Jose, CA 95156

Subject: Acknowledgment - receipt of inquiry regarding account number 0071979827

Dear Claudia A. Barry and Warren L. Barry:

Thank you for contacting us. We're writing to let you know that your inquiry has been received and is currently being reviewed.

We expect to complete our research and provide you with the results on or before July 20, 2015. In the event additional time is needed we will contact you.

We value your feedback and appreciate the time and effort you took to bring your inquiry to our attention.

If you have questions during our review process, please call us at 1-800-853-8516. We are available to assist you Monday through Friday, 7:00 a.m. to 7:00 p.m. Central Time.

Sincerely,

Leesa Whitt-Potter
Leesa Whitt-Potter
Senior Vice President
Wells Fargo Home Lending

In order to remain compliant with state and federal guidelines, if you have engaged legal counsel for any litigation, including bankruptcy, we will communicate with them going forward.

CC501/JMN/co1438446/ge3967404/cl708



Wells Fargo
P.O. Box 10335
Des Moines, IA 50306-0335

July 20, 2015

Claudia A. Barry
Warren L. Barry
P.O. Box 3633
San Jose, CA 95156

Subject: account number 0071979827

~~Dear Claudia A. Barry and Warren L. Barry:~~

I am writing to provide you with an update to your inquiry.

The research and resolution of your inquiry is going to take longer than originally anticipated. Due to this, we won't have a resolution to you by July 20, 2015. We anticipate a final resolution will now be provided to you by August 03, 2015. We appreciate your patience as we finalize our research.

If you have any questions about the information in this letter, please contact me directly at 1-800-853-8516, extension 43954. I am available to assist you Monday through Friday, 8:00 a.m. to 5:00 p.m. Central Time. If you require immediate assistance and I am unavailable, other representatives are available to assist you at 1-800-853-8516, Monday through Friday, 7:00 a.m. to 7:00 p.m. Central Time.

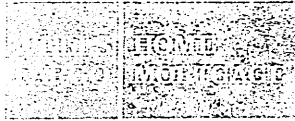
Sincerely,

A handwritten signature in black ink, appearing to read "Nikki Miller".

Nikki Miller
Executive Mortgage Specialist
Customer Care and Recovery Group

A handwritten signature in black ink, appearing to read "Sent me".

EX006/NI2/co1438446/ge3967404/cl708



Wells Fargo
P.O. Box 10335
Des Moines, IA 50306-0335

August 03, 2015

Claudia A. Barry
Warren L. Barry
P.O. Box 3633
San Jose, CA 95156

Subject: account number 0071979827

Dear Claudia A. Barry and Warren L. Barry:

I am writing to provide you with an update to your inquiry.

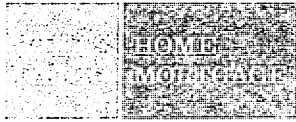
The research and resolution of your inquiry is going to take longer than originally anticipated. Due to this, we won't have a resolution to you by August 03, 2015. We anticipate a final resolution will now be provided to you by August 17, 2015. We appreciate your patience as we finalize our research.

If you have any questions about the information in this letter, please contact me directly at 1-800-853-8516, extension 43954. I am available to assist you Monday through Friday, 8:00 a.m. to 5:00 p.m. Central Time. If you require immediate assistance and I am unavailable, other representatives are available to assist you at 1-800-853-8516, Monday through Friday, 7:00 a.m. to 7:00 p.m. Central Time.

Sincerely,

Nikki Miller
Executive Mortgage Specialist
Customer Care and Recovery Group

EX006/NI2/co1438446/ge3967404/cl708



Wells Fargo
P.O. Box 10335
Des Moines, IA 50306-0335

August 17, 2015

Claudia A. Barry
Warren L. Barry
P.O. Box 3633
San Jose, CA 95156

Subject: account number 0071979827

Dear Claudia A. Barry and Warren L. Barry:

I am writing to provide you with an update to your inquiry.

The research and resolution of your inquiry is going to take longer than originally anticipated. Due to this, we won't have a resolution to you by August 17, 2015. We anticipate a final resolution will now be provided to you by August 31, 2015. We appreciate your patience as we finalize our research.

If you have any questions about the information in this letter, please contact me directly at 1-800-853-8516, extension 43954. I am available to assist you Monday through Friday, 8:00 a.m. to 5:00 p.m. Central Time. If you require immediate assistance and I am unavailable, other representatives are available to assist you at 1-800-853-8516, Monday through Friday, 7:00 a.m. to 7:00 p.m. Central Time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nikki Miller".

Nikki Miller
Executive Mortgage Specialist
Customer Care and Recovery Group

EX006/NI2/co1438446/ge3967404/ci708



Wells Fargo
P.O. Box 10335
Des Moines, IA 50306-0335

August 31, 2015

Claudia A. Barry
Warren L. Barry
P.O. Box 3633
San Jose, CA 95156

Subject: Resolution to your inquiry regarding account number 0071979827

Dear Ms. Claudia A. Barry and Mr. Warren L. Barry:

Thank you for the opportunity to address your concerns you mentioned in your correspondence, which was forwarded to our office. We've carefully researched this matter and are providing you with a response. Through our review, we found no error occurred.

In your correspondence, you requested to rescind your account. Pursuant to the federal Truth In Lending Act (TILA), you were given three days in which to further review the loan documents and cancel the loan with no obligation. Your account closed on January 19, 2007, and your three day rescission period ended at midnight on January 23, 2007. After your rescission period expired, your account was processed and funded. You were given the opportunity to review your closing documents after the loan closed, and you did not cancel this account.

Your account file includes a copy of the final TIL and a copy of the signed right of rescission document dated January 19, 2007 (copies enclosed). The account file reflects these documents were delivered at or before closing. Therefore, your loan was subject to the three day rescission period provided under TILA.

Based on our review we respectfully decline your request to rescind this loan as the three year statutory period provided under TILA has expired as the consummation disclosures are considered accurate.

Going forward

If you have any questions or would like to request documents about the information in this letter, I'm here to help. You may reply to me at the return address on this letter, or you may reach me directly at 1-800-853-8516, extension 43954. I am available to assist you Monday through Friday, 8:00 a.m. to 5:00 p.m. Central Time. If you require immediate assistance and I am unavailable, other representatives are available to assist you at 1-800-853-8516, Monday through Friday, 7:00 a.m. to 7:00 p.m. Central Time.

Sincerely,

Nikki Miller
Executive Mortgage Specialist
Customer Care and Recovery Group

N12/co1438446/ge3967404/cl708

1 JaVonne M. Phillips, Esq. SBN 187474
2 Jennifer C. Wong, Esq. SBN 246725
3 **McCarthy & Holthus, LLP**
4 1770 Fourth Avenue
5 San Diego, CA 92101
6 Phone (877) 369-6122
7 Fax (619) 685-4811

8 Attorneys for Wells Fargo Bank, NA, its assignees and/or successors

9 UNITED STATES BANKRUPTCY COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 IN RE: § Case Number: 15-52423
13 **Claudia A Barry,** §
14 § Chapter: 13
15 §
16 Debtor. §

17 **REQUEST FOR SPECIAL NOTICE**
18 **PURSUANT TO BANKRUPTCY RULES**
19 **2002, 9014 AND 7004**

20 PLEASE TAKE NOTICE that McCarthy & Holthus, LLP has been retained by Wells
21 Fargo Bank, NA, its assignees and/or successors in the above-referenced bankruptcy case.

22 McCarthy & Holthus, LLP hereby requests special notice of all matters which must be
23 noticed pursuant to the Bankruptcy and Local rules at the following address:

24 McCarthy & Holthus, LLP
25 1770 Fourth Avenue
26 San Diego, CA 92101
27 (877) 369-6122

28 Any appearances or filings of other documents in the instant case shall not constitute a
29 waiver of Fed.R. Bankr. Rule 7004. Wells Fargo Bank, NA, its assignees and/or successors must
be served directly and does not authorize McCarthy & Holthus, LLP to act as its agent for
purposes of service under Fed.R. Bankr. Rule 7004.

Dated: 8/12/2015

McCarthy & Holthus, LLP

By: /s/ Jennifer C. Wong, Esq.

Jennifer C. Wong, Esq.,
Attorneys for Wells Fargo Bank, NA, its
assignees and/or successors

1 JaVonne M. Phillips, Esq. SBN 187474
2 Jennifer C. Wong, Esq. SBN 246725
3 **McCarthy & Holthus, LLP**
4 1770 Fourth Avenue
5 San Diego, CA 92101
6 Phone (877) 369-6122
7 Fax (619) 685-4811

8 Attorneys for
9 Wells Fargo Bank, NA

10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 In re:) Case No. 15-52423 MEH
14)
15 Claudia A Barry,)
16) Chapter 13
17 Debtor.)
18)
19)
20)
21)
22)
23)
24)
25)
26)

CERTIFICATE OF SERVICE

Judge: M. Elaine Hammond

CERTIFICATE OF SERVICE

On 8/25/2015, I served the foregoing **REQUEST FOR SPECIAL NOTICE** on the following individuals by depositing true copies thereof in the United States mail at San Diego, California, enclosed in a sealed envelope, with postage paid, addressed as follows:

DEBTOR(S)

Claudia A Barry, PO Box 3633, San Jose, CA 95127

TRUSTEE

Devin Derham-Burk, P.O. Box 50013, San Jose, CA 95150

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: 8/25/2015

/s/ Christian Aguilar

Christian Aguilar

Claudia A. Barry
Warren L. Bary
12340 Clayton Road
San Jose, CA 95127

Quality Loan Service Corporation
411 Ivy Street
San Diego, CA 92101

June 27, 2015

RE Notice to Rescind Deed of Trust and Note
To Whom This May Concern,

Please take notice of the undersigned's Notice to Rescind and that this notice is hereby made upon each of the named parties named above, and the same notice is hereby given to any assignees or transferees of the same parties named above. Please be advised that I intend to rescind the purported obligation under the deed of trust and note identified as:

Deed of Trust Dated 18 January 2007

Property Address: 12340 Clayton Road, San Jose, CA 95127

Amount : \$1,325,000.00

Recorded in Santa Clara County, California on the date of 1/30/2007, as instrument number 19282694.

Lender : Wells Fargo Bank N.A.

Trustee: Quality Loan Service Corporation

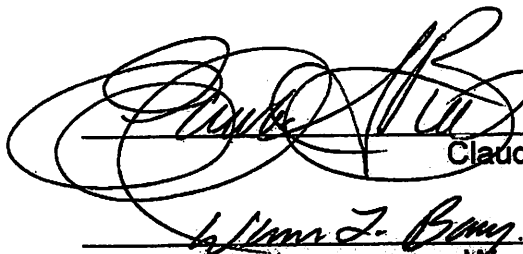
Please be advised that if you fail to sue me and re-establish the debt, you will lose any security interests you might claim to have in my property, by this instrument.

Furthermore, if you fail to return the property or money deposited by the promissory note and related costs, you may be subject to damages.

Please also be advised that the three-day and three-year limitations do not apply as these time periods have been extended because the presumption of "equitable tolling" applies under the circumstances. Please review the recent decision of the United States Supreme Court, *Jesinoski v. Countrywide*, Volume 574 U.S. ____ (2015).

I intend to sue you for the damages.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Claudia A. Barry', is written over a horizontal line.

Claudia A. Barry

A handwritten signature in black ink, appearing to read 'Warren L. Bary', is written over a horizontal line.

Warren L. Bary

Claudia A. Barry
Warren L. Bary
12340 Clayton Road
San Jose, CA 95127

Wells Fargo Home Mortgage
P.O. BOX 14591
Des Moines, IA 50306

June 27, 2015

RE Notice to Rescind Deed of Trust and Note

To Whom This May Concern,

Please take notice of the undersigned's Notice to Rescind and that this notice is hereby made upon each of the named parties named above, and the same notice is hereby given to any assignees or transferees of the same parties named above. Please be advised that I intend to rescind the purported obligation under the deed of trust and note identified as:

Deed of Trust Dated 18 January 2007

Property Address: 12340 Clayton Road, San Jose, CA 95127

Amount: \$1,325,000.00

Recorded in Santa Clara County, California on the date of 1/30/2007, as instrument number 19282694.

Lender: Wells Fargo Bank N.A.

Trustee: Quality Loan Service Corporation

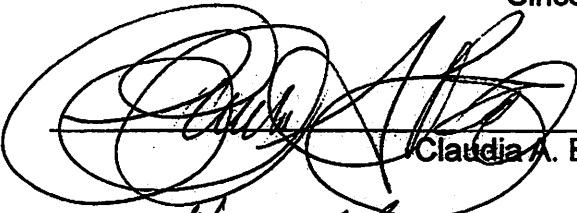
Please be advised that if you fail to sue me and re-establish the debt, you will lose any security interests you might claim to have in my property, by this instrument.

Furthermore, if you fail to return the property or money deposited by the promissory note and related costs, you may be subject to damages.

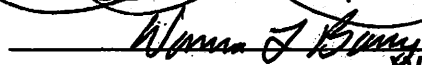
Please also be advised that the three-day and three-year limitations do not apply as these time periods have been extended because the presumption of "equitable tolling" applies under the circumstances. Please review the recent decision of the United States Supreme Court, *Jesinoski v. Countrywide*, Volume 574 U.S. ____ (2015).

I intend to sue you for the damages.

Sincerely,



Claudia A. Barry



Warren L. Bary

DECLARATION OF COMPLIANCE

(California Civil Code Section 2923.55(c))

Borrower(s): CLAUDIA A BARRY
WARREN L BARRY

Property Address: 12340 CLAYTON RD
SAN JOSE CA 95127

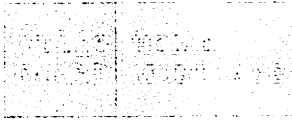
The undersigned, as an authorized agent or employee of the mortgage servicer named below, declares that:

1. ☐ The mortgage servicer has contacted the borrower pursuant to California Civil Code §2923.55(b)(2) to "assess the borrower's financial situation and explore options for the borrower to avoid foreclosure". Thirty (30) days, or more, have passed since the initial contact was made.
2. ☒ The mortgage servicer has exercised due diligence to contact the borrower pursuant to California Civil Code §2923.55(f) to "assess the borrower's financial situation and explore options for the borrower to avoid foreclosure". Thirty (30) days, or more, have passed since these due diligence efforts were satisfied.
3. ☐ No contact was required by the mortgage servicer because the individual(s) identified above did not meet the definition of "borrower" pursuant to subdivision (c) of California Civil Code §2920.5.
4. ☐ The requirements of California Civil Code §2923.55 do not apply because the loan is not secured by a first lien mortgage or deed of trust on "owner-occupied" residential real property as defined by California Civil Code §2924.15(a).

I certify that this declaration is accurate, complete and supported by competent and reliable evidence which the mortgage servicer has reviewed to substantiate the borrower's default and the right to foreclose, including the borrower's loan status and loan information.

Wells Fargo Bank, N.A.

By: Pamela R Baker
Name: Pamela R Baker
Title: VP Loan Documentation
Date: 07/01/2014



Wells Fargo
P.O. Box 10335
Des Moines, IA 50306-0335

September 01, 2015

Claudia A. Barry
Warren L. Barry
P.O. Box 3633
San Jose, CA 95156

Subject: Acknowledgment - receipt of inquiry regarding account number 0071979827

Dear Claudia A. Barry and Warren L. Barry:

Thank you for contacting us. We're writing to let you know that your inquiry has been received and is currently being reviewed.

We expect to complete our research and provide you with the results on or before September 15, 2015. In the event additional time is needed we will contact you.

We value your feedback and appreciate the time and effort you took to bring your inquiry to our attention.

If you have questions during our review process, please call us at 1-800-853-8516. We are available to assist you Monday through Friday, 7:00 a.m. to 7:00 p.m. Central Time.

Sincerely,

Leesa Whitt-Potter
Leesa Whitt-Potter
Senior Vice President
Wells Fargo Home Lending

In order to remain compliant with state and federal guidelines, if you have engaged legal counsel for any litigation, including bankruptcy, we will communicate with them going forward.

CC501/JMN/co1496789/ge4208564/cl708



Wells Fargo
P.O. Box 10335
Des Moines, IA 50306-0335

September 10, 2015

Claudia A. Barry
Warren L. Barry
P.O. Box 3633
San Jose, CA 95156

Subject: Resolution to the correspondence received regarding account number 0071979827

Dear Ms. Claudia A. Barry and Mr. Warren L. Barry:

Addressing your concerns is important to us and I thank you for the opportunity to assist you. I'm responding on behalf of Wells Fargo Home Mortgage to the request received in our office on August 31, 2015.

Current status of the account

On July 24, 2015, you filed for Chapter 13 bankruptcy protection.

Your account isn't currently in review for liquidations options. We previously reviewed the account and were unable to approve it for assistance. Your account is due for the December 01, 2013, through September 01, 2015, payments. We've paid \$22,127.62 toward your property taxes and homeowner's insurance.

This notice is being provided for informational purposes only. As a result of at least one bankruptcy case filing that included the account, Wells Fargo is not attempting in any way to violate any provision of the United States Bankruptcy Code or to collect a debt (deficiency or otherwise) from any customer(s) who is impacted by an active bankruptcy case or has received a discharge, where the account was not otherwise reaffirmed or excepted from discharge. This is not a bill or a request for payment from the customer(s).

Transaction history

In response to your request, enclosed is an account history from September 12, 2012, through September 04, 2015.

Note holder information

Wells Fargo Home Mortgage is the servicer of your loan for owner/assignee
Wells Fargo Bank, N.A. A contact address for the owner/assignee is:

Wells Fargo Home Mortgage
P.O. Box 10335
Des Moines, IA 50306

Barry
September 10, 2015
Page 2

Loan validation

This account originated with Wells Fargo Bank, N.A. We've included copies of the Note and Deed of Trust for further details. These documents validate the origination of this account.

Additional information

We've reviewed your request for information about the activity on this account. We've enclosed the following items:

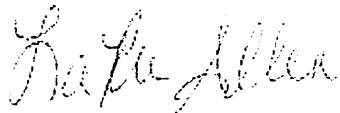
- Deed of Trust and Assignments, if applicable
- Promissory Note and any applicable riders
- Loan Information Report
- The recently received correspondence that initiated the request

We're unable to provide any further information because your remaining requests are too broad. If you provide us with more specific details about what you're seeking, we'll review your request again.

Going forward

If you have any questions about the information in this letter, please contact me directly at 1-800-853-8516, extension 46525. I am available to assist you Monday through Friday, 8:00 a.m. to 5:00 p.m. Central Time. If you require immediate assistance and I am unavailable, other representatives are available to assist you at 1-800-853-8516, Monday through Friday, 7:00 a.m. to 7:00 p.m. Central Time.

Sincerely,



LaRee Allen
Executive Mortgage Specialist
Customer Care and Recovery Group

Enclosure(s)

We understand that your clients have filed for bankruptcy. We are not attempting to collect the mortgage debt with this letter. We are required by federal law to inform you that if your client's loan is currently delinquent or in default, as the loan servicer, we will be attempting to collect a debt, and any information obtained will be used for that purpose. However, this letter should not be construed as an attempt to collect a debt or a demand for payment contrary to any protections provided by the automatic stay of your client's bankruptcy case. If your clients have received a discharge, and the loan was not reaffirmed in the bankruptcy case, we will only exercise our rights against the property and are not attempting any act to collect the discharged debt from your client personally.

EX003/K1V/co1496789/ge4208564/cl708



Wells Fargo Home Mortgage
PO Box 14547
Des Moines, IA 50306-4547

0002347 SP **SNGLP T7 1 1695 95156-363333 -C01-I NONE



CLAUDIA A BARRY
WARREN L BARRY
PO BOX 3633
SAN JOSE CA 95156-3633

Loan number: 0071979827
Statement Date: August 04, 2015

Each year, we review your escrow account to make sure the escrow portion of your scheduled mortgage payment covers your property taxes and/or insurance premiums. Following are the details of your most recent escrow account review.

Important legal information about your account

This communication is an attempt to collect a debt and any information obtained will be used for that purpose. However, if you have received a discharge of this debt in bankruptcy or are currently in a bankruptcy case, this notice is not intended as an attempt to collect a debt, we have a security interest in the property and will only exercise our rights as against the property.

With respect to those loans located in the State of California, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.



Wells Fargo Home Mortgage
PO Box 14547
Des Moines, IA 50306-4547

Page 2 of 4

CLAUDIA A BARRY
WARREN L BARRY
PO BOX 3633
SAN JOSE CA 95156-3633

Escrow account disclosure statement and notice of new mortgage payment

Loan number: 0771979827
Next payment due date: December 01, 2013
New payment effective date: August 01, 2015
New payment amount: \$7,522.58
Principal balance: \$125,663.31
Interest rate: 3.75%
Statement date: August 04, 2015
Account review period: May 2012 - Jul 2015
Customer service: 1-800-240-0473
Customer service hours: Mon-Fri 7 a.m. - 8 p.m. CT.

We accept telecommunications relay service calls.

Property address: 17240 CLAYTON RD
SAN JOSE CA 95127-5013

Dear CLAUDIA A BARRY and WARREN L BARRY:

Each year, we review your escrow account to make sure the escrow portion of your scheduled mortgage payment covers your property taxes and/or insurance premiums. Increases or decreases in your annual taxes and/or insurance premiums may cause your mortgage payment amount to change. Here are the details of your most recent escrow account review.

Note: This notice is for informational purposes only and is being provided as a courtesy should you voluntarily decide to make any escrow shortage payment, if applicable. This notice should not be construed as an attempt to collect a debt or a demand for payment contrary to any protection you may have received pursuant to your bankruptcy case.

New escrow and mortgage payment amount

New payment effective date August 01, 2015 ¹	Current payment (\$)	New payment (\$)
Principal and/or interest	6,195.97	6,272.67
Escrow payment	0.00	1,249.91
Escrow shortage/prepayment ²	0.00	0.00
Total payment amount	6,195.97	7,522.58

1. If you use one of our automatic payment options, we will adjust your electronic withdrawal(s) to ensure your August 01, 2015 payment is made in full.

2. If your current payment includes an amount to cover a previous escrow shortage, this amount will be added. If your current payment includes an adjustment for extra funds you deposited to your escrow account, this amount will be deducted.

Your account is in balance. Our calculation has resulted in no projected shortage or overage in your escrow account.

A guide to your escrow questions and answers is available at: wellsfargo.com/escrowquestions

For informational purposes

Loan number:

0071979827

The following information covers your projected escrow account activity from Aug 2015 to Jul 2016

Projected escrow account disbursements
Annualized items to be paid from your escrow account (\$):

COUNTY TAX	12,698.82
HAZARD INS	2,300.00
Total disbursements	14,998.82
Scheduled escrow payment	1,249.91¹

1. Your escrow payment is calculated by dividing the total disbursements by 12.

Projected escrow account activity for the next 12 months

Date	Anticipated payments (\$)		Description	Escrow balance (\$)	
	To escrow	From escrow		Projected	Required
Aug 2015			Starting balance	22,127.62-	7,499.36
Aug 2015	1,249.91	0.00		20,877.71-	8,749.27
Sep 2015	1,249.91	0.00		19,627.80-	9,999.18
Oct 2015	1,249.91	0.00		18,377.89-	11,249.09
Nov 2015	1,249.91	6,349.41	SANTA CLARA COUNTY	23,477.39-	6,149.59
Dec 2015	1,249.91	0.00		22,227.48-	7,399.50
Jan 2016	1,249.91	2,300.00	AAA NO CA NV & UT	23,277.57-	6,349.41
Feb 2016	1,249.91	0.00		22,027.66-	7,599.32
Mar 2016	1,249.91	0.00	SANTA CLARA COUNTY	20,777.75-	7,499.32 ³
Apr 2016	1,249.91	0.00		25,877.25-	3,749.73
May 2016	1,249.91	0.00		24,627.34-	4,999.64
Jun 2016	1,249.91	0.00		23,377.43-	6,249.55
Jul 2016	1,249.91	0.00		22,127.52-	7,499.46
Total	14,998.92	14,998.82			

The projected escrow account activity is based on the most recent tax and/or insurance information available as well as the assumption that your payments will be received as agreed.

2. **Projected low point.** The point during the annual period at which the projected escrow balance will reach its lowest point.

3. **Required escrow balance.** To cover unanticipated disbursements, including increases to tax or insurance payments, there is a 2-month minimum escrow balance allowable by state law and/or your mortgage contract. This amount does not include mortgage insurance.

~~Your 2-month minimum escrow balance is \$2,499.82~~

~~State law requires that this minimum escrow balance not exceed \$2,499.82~~

~~Note: If you have an adjustable rate mortgage (ARM), you will receive a notice about your new mortgage payment when your ARM rate is scheduled to change.~~

Information about your escrow account

Your lowest projected escrow account balance (low point) (\$)	27,127.16-
Plus escrow adjustment⁴ (\$)	29,626.98
Less your required minimum escrow account balance (\$)	2,499.82

This means your escrow account is in balance 0.00

4. An Escrow Adjustment of \$29,626.98, scheduled to be repaid through the bankruptcy, is included in this calculation.

For informational purposes

Loan number:

0071979827

The following information covers your escrow account history activity from May 2012 to Aug 2013

Date	Payments to escrow (\$)		Payments from escrow (\$)		Description	Escrow balance (\$)	
	Projected	Actual	Projected	Actual		Projected	Actual
May 2012					Starting balance	3,469.55	0.00
May 2012	1,156.53	0.00 ¹	0.00	0.00		4,626.08	0.00
Jun 2012	1,156.53	0.00 ¹	0.00	0.00		5,782.61	0.00
Jul 2012	1,156.53	0.00 ¹	0.00	764.83 ¹	MISC ESCROW	6,939.14	764.83-
Jul 2012	0.00	0.00	0.00	6,215.97 ¹	SANTA CLARA COUNTY	6,939.14	6,980.80-
Aug 2012	1,156.53	0.00 ¹	0.00	0.00		8,095.67	6,980.80-
Sep 2012	1,156.53	0.00 ¹	0.00	0.00		9,252.20	6,980.80-
Oct 2012	1,156.53	0.00 ¹	0.00	0.00		10,408.73	6,980.80-
Nov 2012	1,156.53	0.00 ¹	5,648.26	0.00 ¹	SANTA CLARA COUNTY	5,917.00	6,980.80-
Nov 2012	0.00	0.00	0.00	6,349.41 ¹	SANTA CLARA COUNTY	5,917.00	13,330.21-
Dec 2012	1,156.53	0.00 ¹	0.00	148.00 ¹	AAA NO CA NV & UT	7,073.53	13,478.21-
Jan 2013	1,156.53	0.00 ¹	2,581.80	0.00 ¹	AAA NO CA NV & UT	5,648.26	13,478.21-
Jan 2013	0.00	0.00	0.00	2,300.00 ¹	AAA NO CA NV & UT	5,648.26	15,778.21-
Feb 2013	1,156.53	0.00 ¹	0.00	0.00		6,804.79	15,778.21-
Mar 2013	1,156.53	0.00 ¹	5,648.26	0.00 ¹	SANTA CLARA COUNTY	2,313.06	15,778.21-
Mar 2013	0.00	0.00	0.00	6,349.41 ¹	SANTA CLARA COUNTY	2,313.06	22,127.62-
Apr 2013	1,156.53	0.00 ¹	0.00	0.00		3,469.59	22,127.62-
Aug 2013 est.	0.00	0.00 ¹	0.00	0.00		3,469.59	22,127.62-
Totals	13,878.36	0.00	13,878.32	22,127.62			

1. Indicates where a difference exists between the projected and actual account activity.



Claudia Barry
12340 Clayton Road
San Jose, California 95127

7-0071979827

WELLS FARGO HOME MORTGAGE
1000 Blue Gentian, Suite 300 MAC X9999-01N
Eagan, MN 55121

WELLS FARGO BANK, N.A.
301 South College Street
Winston-Salem, NC 27150

August 20th 2015.

DBM Servicing Mail Support
X2302-04E

AUG 31 2015

NOTICE OF DISPUTE – REQUEST FOR VALIDATION #30

RE Trust Deed against 12340 Clayton Road

Greetings,

Please take notice that I am disputing your attempt to collect the purported debt pursuant to 15 USC. § 1692g(b) and section 5(a) of the Federal Trade Commission Act 15 U.S.C. 45(a). Be advised that,

1. The debt, or a portion thereof, is disputed.
2. I am requesting verification of the debt.
3. I am requesting the name and address of the original creditor.
4. I am requesting validation of the debt, to wit, the chain of title to the debt and a history of charges and payments thereon.
5. Please include a complete accounting for the list of collateral or statement of account.

Please also send copies of the following documentation to my mailing address:

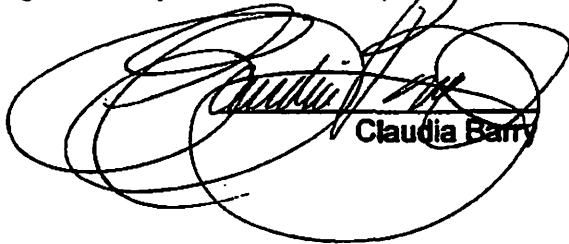
1. A copy of any legal instrument, bearing my signature, which supports your basis for the continued reporting of this alleged debt.
2. An itemized accounting of all debits and credits on the alleged account for the entire history of the account including accounting from prior servicers.
3. The assignments or purchase agreements for the alleged debt between your company and the original lender and proof of the sale of the note as required under section 20 of the mortgage contract.

Furthermore, how did you obtain my banking, personal and financial identifying information? When did you obtain my consent to obtain and use this information? Please describe what interests you have in my property and how you obtain them.

Please respond with the information requested within thirty (30) days from the date of this letter. Please take notice that I intend to sue you and your client for violations of the Fair Debt Collection Practices Act as I do not believe these can be

Claudia Barry
12340 Clayton Road
San Jose, California 95127

remedied without the formal process of the United States District Court. Once underway, we will need to prepare a case management report as soon as practicable, as required by Rule 26(f).



Claudia Barry

Claudia Barry
12340 Clayton Road
San Jose, California 95127

WELLS FARGO HOME MORTGAGE
1000 Blue Gentian, Suite 300 MAC X9999-01N
Eagan, MN 55121

WELLS FARGO BANK, N.A.
301 South College Street
Winston-Salem, NC 27150

August 20th 2015.

RE Note and Trust Deed for 12340 Clayton Road

Hello,

I received your request for financial disclosures and money. After reviewing my trust deed and the county records, I do not see where your organization has any interest in my property. Please tell me how you obtained my contact information and whether or not you have my personal, banking, credit financial and other identifying information.

Do you claim to be the holder of the note for the trust deed? If yes, how did you obtain these records?

I don't know you, and I have no knowledge of any banking relationship with your company. How can I verify your relationship to the lender and trustee? Do the lender and trustee have knowledge of your actions involving your requests for financial disclosures and money? Please provide verification of this.

Also, please explain how you obtained my name, address and personal banking, financial, credit and identifying information. I do not recall ever having given you this information and I would like to know what information you do have about me? Do you have my social security number, copy of my birth certificate, names of family members? Do you know my date of birth? Do you have access to my credit file? If yes, how did you obtain this information?

What gives you reason to believe that I am in default under any trust deed?

If you claim to be my lender, then why do you need me to provide you with the same information that a customer would have already disclosed to you? Your forms are asking for the same information as a creditor would need to open a new account, why do you not already have this information?

What other organizations have my personal, banking, financial, credit and identifying information? Did you provide that information?

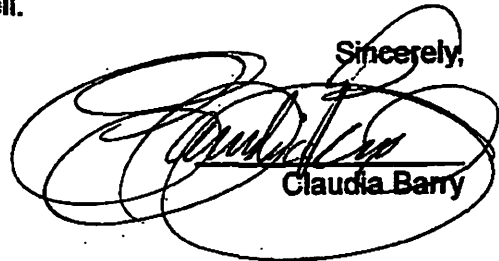
At this time I do not believe that your communication is legal. In fact, I believe that you are attempting to trick me into giving you more of my personal information than you were able to obtain from public records so that you can satisfy the notice requirements involved with foreclosing upon my property and suing me for money and using my personal information for other purposes not disclosed to me. I think you are involved in a scheme to steal my identity and other financial information for your own personal gain and for the gain and benefits of other parties.

Unless I receive answers to my questions here, within a reasonable time, I'm

Claudia Barry
12340 Clayton Road
San Jose, California 95127

going to conclude that your actions are not legal and I am going to file a complaint in the United States District Court for recover damages for what you have already done and if you continue to attempt to take my property using information you obtained without my consent, I intend to sue you for those damages as well.

Sincerely,

A handwritten signature in black ink, appearing to read 'Claudia Barry', is written over a horizontal line. The signature is enclosed within a large, loopy, circular scribble that also encompasses the word 'Sincerely,' above it.

Claudia Barry

Claudia Barry
12340 Clayton Road
San Jose, California 95127

WELLS FARGO HOME MORTGAGE
1000 Blue Gentian, Suite 300 MAC X9999-01N
Eagan, MN 55121

WELLS FARGO BANK, N.A.
301 South College Street
Winston-Salem, NC 27150

August 20th 2015.

"QUALIFIED WRITTEN REQUEST"

REAL ESTATE AND SETTLEMENT PROCEDURES ACT

RE Note and Trust Deed for 12340 Clayton Road

Greetings,

Please be advised that this is a "qualified written request" under Section 6(e) of the Real Estate and Settlement Procedures Act, 12 USC U.S.C. 2605(e). This request pertains to your use and proper application of payments on the account, interest, principal, escrow advances and expenses about your use of suspense accounts regarding this matter, your use of legacy late charges with respect to mortgage payments, your use of automatically triggered property inspections and broker price opinion charges and fees, and about legal fees and expenses that have been attached to this account in the form of corporate advances. Specifically, I am requesting the following records:

1. A complete and itemized statement of the loan history from the date of the loan to the date of this letter including, but not limited to, all receipts by way of payment or otherwise and all charges to the loan in whatever form. This history should include the *date of each and every debit and credit to any account related to this loan, the nature and purpose of each such debit and credit, and the name and address of the payee of any type of disbursement related to this account.*
2. A complete and itemized statement of all advances or charges against this loan for any purpose that are not reflected on the loan history transaction statement provided in answer to question #1.
3. A complete and itemized statement of the escrow account of the loan, if any, from the date of the loan to the date of this letter, including, but not limited to, any receipts or disbursements with respect to real estate property taxes, fire or hazard insurance, flood insurance, mortgage insurance, credit insurance, or any other insurance product.
4. Have you purchased and charged to the account any Vendor's Single Interest Insurance?
5. A complete and itemized statement from the date of the loan to the date of this letter of any forced-placed insurance and expenses related thereto, related in any way to this loan.
6. A complete and itemized statement from the date of the loan to the date of this letter of any suspense account entries and/or any corporate advance entries related in any

Claudia Barry
12340 Clayton Road
San Jose, California 95127

way to this loan.

7. A complete and itemized statement from the date of the loan to the date of this letter of any property inspection fees, property preservation fees, broker opinion fees, appraisal fees, bankruptcy monitoring fees, or other similar fees or expenses related in any way to this loan.

8. Identify the provision under the Deed of Trust and/or note that authorizes charging each and every such fee against the loan.

9. Please attach copies of all property inspection reports and appraisals.

10. A complete and itemized statement of any and all post-petition arrears including each month in which the default occurred, and the amount of each monthly default.

11. A complete and itemized statement of any late charges to this loan from the date of this loan to the date of this letter.

12. The amount, if applicable, of any "satisfaction fees."

13. A complete and itemized statement from the date of the loan to the date of this letter of any fees incurred to modify, extend, or amend the loan or to defer any payment due under the terms of the loan.

14. The current amount needed to pay-off the loan in full.

15. A full and complete comprehensible definitional dictionary of all transaction codes and other similar terms used in the statements requested above.

16. A complete and itemized statement of any funds deposited in any post-petition suspension account(s) or corporate advance account(s), including, but not limited to, the balance in any such account or accounts and the nature, source and date of any and all funds deposited in such account or accounts.

17. A complete and itemized statement from the date of this loan to the date of this letter of the amount, payment date, purpose and recipient of all foreclosure expenses, NSF check charges, legal fees, attorney fees, professional fees and other expenses and costs that have been charged against or assessed to this mortgage.

18. A complete and itemized statement of the amount, payment date, purpose and recipient of all fees for the preparation and filing of the original proof of claim, any amended proofs of claim, or any supplemental proofs of claim related to this mortgage.

19. The full name, address and phone number of the current holder of this debt including the name, address and phone number of any trustee or other fiduciary. This request is being made pursuant to Section 1641(f)(2) of the Truth In Lending Act, which requires the servicer to identify the holder of the debt.

20. The name, address and phone number of any master servicers, servicers, sub-servicers, contingency servicers, back-up servicers or special servicers for the underlying mortgage debt.

21. A copy of any mortgage Pooling and Servicing Agreement and all Disclosure Statements provided to any Investors with respect to any mortgage-backed security trust or other special purpose vehicle related to the said Agreement and any and all Amendments and Supplements thereto.

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San Jose, California 95127

22. If a copy of the Pooling and Servicing Agreement has been filed with the SEC, provide a copy of SEC Form 8k and the Prospectus Supplement, SEC Form 424b5.

23. The name, address and phone number of any Trustee under any pooling or servicing agreement related to this loan.

24. A copy of the Prospectus offered to investors in the trust.

25. Copies of all servicing, master servicing, sub-servicing, contingency servicing, special servicing, or back-up servicing agreements with respect to this account.

26. All written loss-mitigation rules and work-out procedures related to any defaults regarding this loan and similar loans.

27. The procedural manual used with respect to the servicing or sub-servicing of this loan.

28. A summary of all fixed or standard legal fees approved for any form of legal services rendered in connection with this account.

29. Is this loan subject to any Electronic Tracking Agreement? If the answer is yes, then state the full name and address of the Electronic Agent and the full name and address of the Mortgage Electronic Registration System.

30. Is the servicing of this loan provided pursuant to any type of mortgage electronic registration system? If the answer is yes, then attach a copy of the mortgage electronic registration system procedures manual.

31. A copy of the LSAMS Transaction History Report for the mortgage loan account, with a detailed description of all fee codes.

32. Is this a MERS Designated Mortgage Loan? If the answer is yes, then identify the electronic agent and the type of mortgage electronic system used by the agent.

33. Is this mortgage part of a Mortgage Warehouse Loan? If so, then state the full name and address of the Lender and attach a copy of the Warehouse Loan Agreement.

34. Upon any default or notice of default, state whether or not the Mortgage Warehouse Lender has the right to override any servicers or sub-servicers and provide instructions directly to the Electronic Agent? If the answer is yes, then specifically identify the legal basis for such authority.

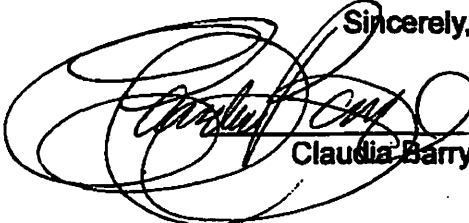
35. Is this mortgage part of a Whole Loan Sale Agreement? If the answer is yes, then state the name and address of the Purchaser, the Custodian, the Trustee, the Electronic Agent and any Servicer or Sub-Servicers.

Be further advised that you must cease and desist all collection activity, and acknowledge receipt of this qualified written request within 20 business days, pursuant to 12 U.S.C. Section 2605(e)(1)(A) and Reg. X Section 3500.21(e)(1). Section 6 of RESPA contains an express private cause of action. 12 U.S.C. § 2605(f). Individual plaintiffs who prevail are entitled to actual damages plus statutory damages of up to \$1,000 in cases where there is a pattern or practice of noncompliance. 12 U.S.C. § 2605(f)(1). In class actions, lenders are liable for an amount equal to actual damages to each class member plus statutory damages of up to \$1,000 for each class member in the case of a pattern or practice of noncompliance. Statutory damages in class actions

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are capped at the lesser of \$500,000 or 1% of the defendant's net worth. 12 U.S.C. § 2605(f)(2). Successful plaintiffs are also entitled to an award of attorneys' fees and costs. 12 U.S.C. § 2605(f)(3).

Sincerely,



Claudia Barry

Loan Information Report

Loan Number:	708-0071979827	Created:	09/02/2015
Primary Borrower:	CLAUDIA A BARRY	Secondary Borrower:	WARREN L BARRY

Property Address	Mailing Address
12340 CLAYTON RD	PO BOX 3633
SAN JOSE, CA 95127-5013	SAN JOSE, CA 95156-3633

Loan Terms			
Loan Date	01/18/2007	Occupancy	OWNER OCCUPIED
Loan Purpose	REFINANCE NO CASH OUT	Type of Loan	CONVENTIONAL WITHOUT PMI
Loan Amount	\$1,325,000.00	Lien Type	FIRST MORTGAGE
Current Interest Rate	2.87500%	Owner/Assignee	WELLS FARGO BANK NA
Term	360 MONTHS	Loan Acquired	N/A
Unpaid First Principal Balance	\$1,259,663.31	Assumption Date	N/A
Additional Unpaid Principal Balance	\$0.00	Military Status	N/A
Maturity Date	02/01/2037		
Late Charge Amount	\$309.80		

Product and Payment Information			
Due Date	12/01/2013	Restricted Escrow Balance	\$0.00
Scheduled Payment Amount	\$6,195.97	Projected Interest Due	N/A
Subsidy or Other Interest Credit	\$0.00	Interest Short	N/A
Principal and Interest	\$6,195.97	Interest Only	NO
Escrow	\$0.00	Prepayment Penalty	NO
Optional Products	\$0.00	Auto Draft	NO
		Payment Frequency	MONTHLY

Adjustable Rate Mortgage Information			
Next Interest Rate Change	12/21/2015	Margin	2.75000%
Next Payment Change	03/01/2016	Index	WEEKLY AVERAGE 1 YEAR TREASURY
Maximum Interest Rate	10.50000%		

Current Home Preservation Activities			
Current Status	N/A	Single Point of Contact (SPOC):	N/A
Complete Loss Mitigation Package Received	N/A		
Loss Mitigation Option Offered	N/A		

Delinquency Information			
Number of Days Past Due	640 DAYS	Bankruptcy Filed Date	07/24/2015
Foreclosure Status	N/A	Bankruptcy Type	CHAPTER 13
Foreclosure Referred On	N/A	Bankruptcy Status	ACTIVE
Sale Date Scheduled	N/A		

Credit Reporting History

DATE REPORTED	STATUS REPORTED	SPECIAL COMMENT
08/07/2015	84-180 DAYS	
07/07/2015	84-180 DAYS	
06/08/2015	84-180 DAYS	
05/07/2015	84-180 DAYS	
04/07/2015	84-180 DAYS	
03/09/2015	84-180 DAYS	
02/09/2015	84-180 DAYS	
01/07/2015	84-180 DAYS	
12/08/2014	84-180 DAYS	
11/07/2014	84-180 DAYS	
10/07/2014	84-180 DAYS	

DATE REPORTED	STATUS REPORTED	SPECIAL COMMENT
09/08/2014	84-180 DAYS	
08/07/2014	84-180 DAYS	
07/07/2014	84-180 DAYS	
06/09/2014	84-180 DAYS	
05/07/2014	83-150 DAYS	
04/07/2014	82-120 DAYS	
03/07/2014	80-90 DAYS D	
02/07/2014	78-60 DAYS D	



Customer Account Activity Statement
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Date Received	Effective Date	Due Date	Amount Received	Amount Applied to Principal	Amount Applied to Interest	Escrow Applied / Disbursed	Unapplied Funds	Fees Assessed or Recovered	Corporate Advance Fees Assessed or Recovered	Principal Balance	Escrow Balance	Unapplied Balance	Outstanding Fee Balance	Outstanding Corporate Advance Fee Balance	Comments
										\$1,308,432.30	\$0.00	\$0.00	\$0.00	\$0.00	Beginning Totals/Balances
09/12/12	09/12/12	Sep-12	\$6,195.97	\$3,065.98	\$3,129.99					\$1,303,366.32	\$0.00	\$0.00	\$0.00	\$0.00	
10/16/12	10/15/12	Oct-12	\$6,195.97	\$3,073.32	\$3,122.65					\$1,300,293.00	\$0.00	\$0.00	\$0.00	\$0.00	
11/16/12								-\$309.80		\$1,300,293.00	\$0.00	\$0.00	\$309.80	\$0.00	Late Charge Assessment
11/19/12	11/16/12	Nov-12	\$6,195.97	\$3,080.69	\$3,115.28					\$1,297,212.31	\$0.00	\$0.00	\$309.80	\$0.00	
11/19/12								\$309.80		\$1,297,212.31	\$0.00	\$0.00	\$0.00	\$0.00	Late Charge Adjustment
12/17/12	12/15/12	Dec-12	\$6,195.97	\$3,088.07	\$3,107.90					\$1,294,124.24	\$0.00	\$0.00	\$0.00	\$0.00	
01/16/13	01/15/13	Jan-13	\$6,195.97	\$3,095.46	\$3,100.51					\$1,291,028.78	\$0.00	\$0.00	\$0.00	\$0.00	
02/19/13	02/16/13	Feb-13	\$6,195.97	\$3,102.88	\$3,093.09					\$1,287,925.90	\$0.00	\$0.00	\$0.00	\$0.00	
03/17/13	03/15/13	Mar-13	\$6,195.97	\$3,110.31	\$3,085.66					\$1,284,815.59	\$0.00	\$0.00	\$0.00	\$0.00	
04/16/13								-\$309.80		\$1,284,815.59	\$0.00	\$0.00	\$309.80	\$0.00	Late Charge Assessment
04/17/13	04/16/13	Apr-13	\$6,195.97	\$3,117.77	\$3,078.20					\$1,281,697.82	\$0.00	\$0.00	\$309.80	\$0.00	
04/17/13								\$309.80		\$1,281,697.82	\$0.00	\$0.00	\$0.00	\$0.00	Fee Waived
05/16/13								-\$309.80		\$1,281,697.82	\$0.00	\$0.00	\$309.80	\$0.00	Late Charge Assessment
06/17/13								-\$309.80		\$1,281,697.82	\$0.00	\$0.00	\$619.60	\$0.00	Late Charge Assessment
07/16/13								-\$309.80		\$1,281,697.82	\$0.00	\$0.00	\$929.40	\$0.00	Late Charge Assessment
07/21/13	07/19/13		\$3,000.00				\$3,000.00			\$1,281,697.82	\$0.00	\$3,000.00	\$929.40	\$0.00	Funds Held for Disbursement
07/26/13	07/25/13		\$16,517.31				\$16,517.31			\$1,281,697.82	\$0.00	\$16,517.31	\$929.40	\$0.00	Funds Held for Disbursement
07/28/13	07/25/13	May-13		\$3,125.24	\$3,070.73		-\$19,517.31	\$929.40		\$1,278,572.58	\$0.00	\$0.00	\$0.00	\$0.00	Funds Applied From Suspense
07/28/13	07/25/13	Jun-13		\$3,132.72	\$3,063.25					\$1,275,439.86	\$0.00	\$0.00	\$0.00	\$0.00	Funds Applied From Suspense
07/28/13	07/25/13	Jul-13		\$3,140.23	\$3,055.74					\$1,272,299.63	\$0.00	\$0.00	\$0.00	\$0.00	Funds Applied From Suspense
08/15/13	08/15/13	Aug-13	\$6,195.97	\$3,147.75	\$3,048.22					\$1,269,151.88	\$0.00	\$0.00	\$0.00	\$0.00	
09/15/13	09/15/13	Sep-13	\$6,195.97	\$3,155.29	\$3,040.68					\$1,265,996.59	\$0.00	\$0.00	\$0.00	\$0.00	
09/19/13		Sep-13		-\$3,155.29	-\$3,040.68					\$1,269,151.88	\$0.00	\$0.00	\$0.00	\$0.00	Non-Sufficient Fund Reversal
09/19/13								-\$309.80		\$1,269,151.88	\$0.00	\$0.00	\$309.80	\$0.00	Late Charge Assessment
10/15/13	10/14/13	Sep-13	\$6,195.97	\$3,155.29	\$3,040.68					\$1,265,996.59	\$0.00	\$0.00	\$309.80	\$0.00	
11/15/13			\$309.80					\$309.80		\$1,265,996.59	\$0.00	\$0.00	\$0.00	\$0.00	
11/15/13	11/14/13	Oct-13	\$6,195.97	\$3,162.85	\$3,033.12					\$1,262,833.74	\$0.00	\$0.00	\$0.00	\$0.00	
11/15/13	11/14/13	Nov-13	\$6,195.97	\$3,170.43	\$3,025.54					\$1,259,663.31	\$0.00	\$0.00	\$0.00	\$0.00	

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Customer Account Activity Statement

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Date Received	Effective Date	Due Date	Amount Received	Amount Applied to Principal	Amount Applied to Interest	Escrow Applied / Disbursed	Unapplied Funds	Fees Assessed or Recovered	Corporate Advance Fees Assessed or Recovered	Principal Balance	Escrow Balance	Unapplied Balance	Outstanding Fee Balance	Outstanding Corporate Advance Fee Balance	Comments
12/16/13								-\$309.80		\$1,259,663.31	\$0.00	\$0.00	\$309.80	\$0.00	Late Charge Assessment
01/16/14								-\$309.80		\$1,259,663.31	\$0.00	\$0.00	\$619.60	\$0.00	Late Charge Assessment
02/18/14								-\$309.80		\$1,259,663.31	\$0.00	\$0.00	\$929.40	\$0.00	Late Charge Assessment
03/17/14								-\$309.80		\$1,259,663.31	\$0.00	\$0.00	\$1,239.20	\$0.00	Late Charge Assessment
07/08/14			-\$764.83			-\$764.63				\$1,259,663.31	-\$764.83	\$0.00	\$1,239.20	\$0.00	Misc. Escrow Disbursement
07/08/14						-\$6,215.97				\$1,259,663.31	-\$6,980.80	\$0.00	\$1,239.20	\$0.00	County Taxes Paid
07/24/14									-\$300.00	\$1,259,663.31	-\$6,980.80	\$0.00	\$1,239.20	\$300.00	Foreclosure Attorney Fees
11/03/14									-\$200.00	\$1,259,663.31	-\$6,980.80	\$0.00	\$1,239.20	\$500.00	Foreclosure Attorney Fees
11/03/14									-\$1,349.00	\$1,259,663.31	-\$6,980.80	\$0.00	\$1,239.20	\$1,849.00	Foreclosure Attorney Costs
11/19/14						-\$6,349.41				\$1,259,663.31	-\$13,330.21	\$0.00	\$1,239.20	\$1,849.00	County Taxes Paid
12/15/14						-\$148.00				\$1,259,663.31	-\$13,478.21	\$0.00	\$1,239.20	\$1,849.00	Homeowners Insurance Paid
01/21/15						-\$2,300.00				\$1,259,663.31	-\$15,778.21	\$0.00	\$1,239.20	\$1,849.00	Homeowners Insurance Paid
03/13/15						-\$6,349.41				\$1,259,663.31	-\$22,127.62	\$0.00	\$1,239.20	\$1,849.00	County Taxes Paid
06/16/15									-\$285.00	\$1,259,663.31	-\$22,127.62	\$0.00	\$1,239.20	\$2,134.00	Publication Costs

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